

PUBLIC NOTICE - Notice Is Hereby Given That the Tangipahoa Parish Council Will Meet in **Regular Session** on Monday, July 26, 2021 Immediately Following the Public Hearing Held At 5:30 PM At Tangipahoa Parish Government Building, 206 East Mulberry Street, Amite, Louisiana, contact number (985) 748-3211

PUBLIC HEARING - Notice Is Hereby Given That a Public Hearing Will Be Held by The Tangipahoa Parish Council on Monday, July 26, 2021 at 5:30 PM At Tangipahoa Parish Government Building, 206 East Mulberry Street, Amite, Louisiana, contact number (985)748-3211, on the following:

- T.P. Ordinance No. 21-47- An ordinance placing 15 MPH speed limit signs and drive like your kids live here signs on Cassidy Lane in District No. 10 in Tangipahoa Parish in accordance with Chapter 20 streets, roads, sidewalks and drainage- Article I, in General- Section 20
- T.P. Ordinance No. 21-48- An ordinance repealing to recodify current code sections regarding Shooting ranges, Mining Operations, Auto Impounds, Salvage and Recycling Facilities, Halfway houses, & Juvenile Detention facilities, and Renewable Energy and amending Chapter 17, Article IX-Developments with special provisions regarding: Shooting ranges, Mining Operations, Auto Impounds, Salvage and Recycling Facilities, Halfway houses, & Juvenile Detention facilities, and Renewable Energy
- T.P. Ordinance No. 21-49- An ordinance to amend Chapter 17, Planning and Development- Article IX, adding Section 9.6- Renewable energy regulations regarding solar power plants
- T.P. Ordinance No. 21-50- An ordinance placing no truck route signs and weight limit signs at the bridge on North Hoover Road in District No. 9
- T.P. Ordinance No. 21-51- An ordinance to grant variances to Tangipahoa Parish Code of Ordinances Chapter 17 for Otis Betts Jr. at 44336 Zeno Lane, Hammond, Louisiana 70403 in Tangipahoa Parish Council District No. 8
- T.P. Ordinance No. 21-52- An ordinance to grant variances to Tangipahoa Parish Code of Ordinances Chapter 17-5.2 (c) and 5.3 (h) for MGD Deluxe, LLC at the assessment parcel number 4498208 in Hammond, Louisiana 70403 in Tangipahoa Parish Council district no. 6

**Tangipahoa Parish Council
Tangipahoa Parish Government Building
206 East Mulberry Street, Amite, LA 70422
Regular Meeting Immediately Following Public Hearing
July 26, 2021**

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE *(All Veterans and active military, please render the proper salute)*

ROLL CALL

CELL PHONES - *Please Mute or Turn Off*

ADOPTION OF MINUTES- Regular meeting dated July 12, 2021

PUBLIC INPUT - *Anyone Wishing to Address Agenda Items Which Were Not on Public Hearing*

PARISH PRESIDENT'S REPORT

1. Approval of Bids- Tangipahoa Parish courthouse facade repairs
2. Financial Report

REGULAR BUSINESS

3. Adoption of T.P. Ordinance No. 21-47- An ordinance placing 15 MPH speed limit signs and drive like your kids live here signs on Cassidy Lane in District No. 10 in Tangipahoa Parish in accordance with Chapter 20 streets, roads, sidewalks and drainage- Article I, in General- Section 20
4. Adoption of T.P. Ordinance No. 21-48- An ordinance repealing to recodify current code sections regarding Shooting ranges, Mining Operations, Auto Impounds, Salvage and Recycling Facilities, Halfway houses, & Juvenile Detention facilities, and Renewable Energy and amending Chapter 17, Article IX-Developments with special provisions regarding: Shooting ranges, Mining Operations, Auto Impounds, Salvage and Recycling Facilities, Halfway houses, & Juvenile Detention facilities, and Renewable Energy
5. Adoption of T.P. Ordinance No. 21-49- An ordinance to amend Chapter 17, Planning and Development- Article IX, adding Section 9.6- Renewable energy regulations regarding solar power plants
6. Adoption of T.P. Ordinance No. 21-50- An ordinance placing no truck route signs and weight limit signs at the bridge on North Hoover Road in District No. 9
7. Adoption of T.P. Ordinance No. 21-51- An ordinance to grant variances to Tangipahoa Parish Code of Ordinances Chapter 17 for Otis Betts Jr. at 44336 Zeno Lane, Hammond, Louisiana 70403 in Tangipahoa Parish Council District No. 8
8. Adoption of T.P. Ordinance No. 21-52- An ordinance to grant variances to Tangipahoa Parish Code of Ordinances Chapter 17-5.2 (c) and 5.3 (h) for MGD Deluxe, LLC at the assessment parcel number 4498208 in Hammond, Louisiana 70403 in Tangipahoa Parish Council district no. 6

- [9.](#) Introduction of T.P. Ordinance No. 21-46- Providing for the levy of taxes for the year of 2021
- [10.](#) Introduction of T.P. Ordinance No. 21-53- An ordinance placing 10 MPH speed limit signs and drive like your kids live here signs in Southridge Subdivision in District No. 9 in Tangipahoa Parish in accordance with Chapter 20 streets, roads, sidewalks and drainage- Article I, in General- Section 20
- [11.](#) Introduction of T.P. Ordinance No. 21-54- An ordinance placing 35 MPH speed limit signs on Baytown Hills Road, 25 MPH speed limit signs on Johnson Holton Road and 25 MPH speed limit signs on Company Town Road in District No. 1 in Tangipahoa Parish in accordance with Chapter 20 streets, roads, sidewalks and drainage- Article I, in General- Section 20
- [12.](#) Introduction of T.P. Ordinance No. 21-55- An ordinance to revise and amend T.P. Ordinance No. 21-48- an ordinance repealing to recodify current code sections regarding Shooting ranges, Mining Operations, Auto Impounds, Salvage and Recycling Facilities, Halfway houses, & Juvenile Detention facilities, and Renewable Energy and amending Chapter 17, Article IX-Developments with special provisions, to include the foregoing sections
- [13.](#) Introduction of T.P. Ordinance No. 21-56- An ordinance placing 25 MPH speed limit signs on Brumfield Road from Lewiston Road to the dead end in District No. 1 in Tangipahoa Parish in accordance with Chapter 20 streets, roads, sidewalks and drainage- Article I, in General- Section 20
- [14.](#) Introduction of T.P. Ordinance No. 21-57- An ordinance placing no truck route signs in Bella Casa Subdivision in District No. 2 in Tangipahoa Parish in accordance with Chapter 20 streets, roads, sidewalks and drainage- Article I, in General- Section 20
- [15.](#) Introduction of T.P. Ordinance No. 21-58- An ordinance granting a variance to Tangipahoa Parish Code of Ordinances, Chapter 17- Section 17-5.2 (A)4- "Spacing of Manufactured Homes" for Yashica Johnson at 40143 Macedonia Road in Tangipahoa Parish Council District No. 10
16. Adoption of T.P. Resolution No. R21-13- A resolution approving the 2021-2023 priority list of off system bridge rehabilitation and replacement program
- [17.](#) Adoption of T.P. Resolution No. R21-14- A resolution authorizing the continued employment of special counsel in connection with the creation of multiple economic development districts pursuant to Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended; and providing for other matters in connection therewith
- [18.](#) Adoption of T.P. Resolution No. R21-15- A resolution authorizing the publication of a Notice of Intention to levy a 2.00% sales tax and a 2.00% Hotel Occupancy Tax in Tangipahoa Parish Economic Development District No. 8, State of Louisiana, under the authority of Part II, Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 *et seq.*); and providing for other matters in connection therewith

BEER, WINE, AND LIQUOR PERMITS

LEGAL MATTERS

COUNCILMEN'S PRIVILEGES

ADJOURN

Kristen Pecararo
Clerk of Council

Daily Star
Please Publish July 22, 2021

Posted @ T.P. Burgess Governmental Building July 22, 2021

In Accordance with the Americans with Disabilities Act, If You Need Special Assistance, please contact Kristen Pecararo at 985-748-2290 describing the Assistance that is necessary.



July 22, 2021

Tangipahoa Parish Government
206 East Mulberry St.
Amite, LA 70422

Attn: Melissa Cowart

**RE: Tangipahoa Parish Courthouse Facade Repairs
H/S Project No. 13037-C
Bid Tabulation**

Dear Ms. Cowart:

Pursuant to the bid opening for the above referenced project that occurred on June 20, 2020, the apparent low bidder has confirmed their bid amount. Therefore, we recommend award of the project to Apex Waterproofing of Louisiana, LLC in the amount of \$383,175.00. Also enclosed is the Bid Tabulation for this project.

Should you have any questions, please do not hesitate to contact our office.

Sincerely,

HOLLY & SMITH ARCHITECTS
A Professional Architectural Corporation



R. Ryan Faulk, AIA
Architect

RRF/

Enclosures

T.P. Ordinance No. 21-47

AN ORDINANCE PLACING 15 MPH SPEED LIMIT SIGNS AND DRIVE LIKE YOUR KIDS LIVE HERE SIGNS ON CASSIDY LANE IN DISTRICT NUMBER 10 IN TANGIPAHOA PARISH IN ACCORDANCE WITH CHAPTER 20, STREETS, ROADS, SIDEWALKS AND DRAINAGE - ARTICLE I, IN GENERAL - SECTION 20-16

BE IT ORDAINED by the Tangipahoa Parish Council, governing authority of Tangipahoa Parish, State of Louisiana, as follows:

- 1) 25 MPH speed limit signs on Cassidy Lane in District No. 10
- 2) Drive like your kids live here signs on Cassidy Lane in District No. 10

in Accordance with Chapter 20, Streets, Roads, Sidewalks and Drainage - Article I, in General - Section 20-16.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

The above and foregoing ordinance having been duly submitted to the Tangipahoa Parish Council in writing; introduced at a public meeting of the Tangipahoa Parish Council; discussed at the said public hearing; after motion and second was submitted to the official vote of the Tangipahoa Parish Council.

On motion by _____ and seconded by _____, the foregoing ordinance was hereby declared adopted on this 26th day of July, 2021 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Kristen Pecararo
Clerk of Council
Tangipahoa Parish Council

Brigette Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: July 12, 2021

PUBLISHED: July 22, 2021

- OFFICIAL JOURNAL
Hammond Daily Star

ADOPTED BY TPC: July 26, 2021

DELIVERED TO PRESIDENT: _____ day of July, 2021 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July, 2021 at _____

T.P. Ordinance No. 21-48

BE IT ORDAINED by the Tangipahoa Parish Council-President Government, governing authority of Tangipahoa Parish, State of Louisiana that the Tangipahoa Parish Code of Ordinance be hereby amended to repeal and recodify the following from the current code into Chapter 17 Planning and Development:

Article X of Chapter 13

Article XIII of Chapter 13

Chapter 25

ARTICLE IX - DEVELOPMENTS WITH SPECIAL PROVISIONS

Sec. 17-9.1 General Standards – All the following Commercial developments requiring special provisions must follow the submission and review procedures as identified for General Commercial Developments in Chapter 17-5.6 and any standards identified herein this sub-section.

A. In General

Commercial developments as not defined in any other section must follow the special provisions per this section. These developments are generally considered a nuisance to the public. In order to protect public health and reduce hazards to safety, these developments must follow the provisions of this subsection.

If these commercial developments contract, lease, sublease or sell any interest in the project or property they must notify Tangipahoa permit office no later than 90 days prior to the execution of any agreement to transfer said interest.

B. Types of Commercial Developments that require a Commercial Site Approval include the following:

- Firing or Shooting Ranges
- Mining operation such as but not limited to dirt, sand, and gravel pits
- Temporary housing shelters
 - Transitional facilities for housing ex-inmates or criminals with severe mental illness
- Jails or prisons
- Businesses where bars or lounges are the primary use
- Adult uses or adult entertainment as defined herein
- Junk yards for vehicles, salvage yards, scrap yards, or for any business in any phase of reclamation
 - Renewable Energy Plants such as Solar, Wind, Hydro, Geothermal, Biomass
- Towers, including, but not limited to cellular and radio towers
- Landfills, incinerators, or waste disposal dumps / sites

C. Approval Process

1. These developments will get site plan approval by TRC, then forwarded to the planning commission for a public hearing.

2. The Planning Commission will hold a public hearing be held and a recommendation forwarded to the Tangipahoa Parish Council.

3. Tangipahoa Parish Council will hold a public hearing and a resolution must be passed in order to proceed to the permitting process.
4. Before issuance of any permit the TRC (technical review committee) must give final approval.

Sec. 17-9.2 Shooting Ranges

- A.** Public & Private Shooting ranges are recognized as General Commercial Developments. These ranges must follow these procedures for approval with the additional requirement found herein and in accordance with LA R.S. 33:120. Personal shooting ranges are excluded from requirements for Sec.17-9.2.
 1. Public Shooting Ranges must have a minimum parcel acreage of ten (10) acres or greater.
 2. Private Shooting Ranges must have a minimum parcel acreage of two (2) acres or greater.
- B.** The hours of operation for outdoor shooting ranges can be from seven (7) a.m. to ten (10) p.m. daily, except for indoor or archery ranges.
- C.** Private and public shooting ranges must be constructed to provide a proper barrier to prevent bullets, shots, and/or arrows from leaving the firing range site. Provisions shall be made as regards side barricades as well as barricades behind and adjacent to the targets.
- D.** Private and public shooting ranges must have an implemented safety plan that substantially includes, but is not limited to, the following items:
 1. A description of the range that stipulates how, when, and by whom the facility will be used.
 2. The safety plan should divide rules and regulations into the categories of gun handling rules, general range rules, specific range rules, and administrative rules and regulations.
 3. This safety plan must be posted in a prominent location on the range and range members or users must be made aware of the safety plan before firing on the range.
 4. These ranges must provide a safety zone map with distance, measurements, property size, and any structures.
- E.** Any indoor firing ranges are exempt from the special regulations of subsection 17-9.2., but are required to meet all building codes and permit requirements.
- F.** Any structures located on an outdoor or an indoor firing range facility in the parish will be required to meet all building codes and permit requirements.
- G.** Any person violating the provisions of this section, unless that person is a law enforcement officer or policeman acting within the scope and course of his or her duties and employment, shall be guilty of a violation of the criminal law and shall be subject to punishment, as provided in section 1-13 of this Code.
 1. The firing of any firearm within 250 feet of any inhabited dwelling, building, shed, or structure where a person or persons can reasonably be expected to be present, without the express permission of the owner of the said dwelling, building or structure is prohibited.
 2. The discharge of a firearm or gun within 100 feet of any public street, highway, road or thoroughfare is prohibited.

3. Furthermore, physical damage to persons or property as a result of a violation of this section are entitled to bring an action against the violator.

H. Owner of any shooting ranges must notify with 60 days to all local law enforcement of the establishment and hours of operation.

Sec. 17-9.3 - MINING OPERATIONS

A. - IN GENERAL

1. Prohibition on combustible and/or flammable burning.
 - a. Combustible and/or flammable burning is defined as consisting of any single or multiple pits or containers of any size where combustible and/or flammable liquids are burned for any reason.
 - b. The construction or use of pits or containers for the purpose of burning combustible and/or flammable liquids is prohibited.
 - c. Whoever burns combustible and/or flammable liquids in violation of the provisions of the section shall be guilty of a misdemeanor crime and shall be subject to the penalties in section 1-13 of the Code of Ordinances of Tangipahoa Parish, Louisiana.

B. - PITS AND PONDS

1. Definitions

Dirt pit: a hole, shaft or cavity in the ground created or expanded with the intent to mine dirt, clay, gravel, or any materials from the earth from the site for transport off of the site.

Pond: an artificially created confined body of water, which could be created for commercial, recreational uses, or for detention/drainage.

2. Construction, operation or expansion of dirt pits and ponds require a permit.

All dirt pits and/or ponds sought to be constructed within Tangipahoa Parish is required to submit an application to the Tangipahoa Parish Permit Office. No new excavation shall begin until a permit is issued.

The permit application required by this "article" will require the following information, to-wit:

- a. The landowner or landowners' full names, physical and mailing addresses, and telephone number.
- b. The property description for the location of the dirt pit and/or pond.
- c. The official name or designation of the roadway providing access to the site of the dirt pit and/or pond.
- d. The anticipated size of the dirt pit and/or pond including both its anticipated depth and surface area.
- e. The anticipated starting date for operations and the anticipated completion date for operations at the site.
- f. The contractor/miner/excavator's complete name. If the contractor/miner/excavator is a partnership, corporation or limited liability company, there shall be included with the application the names of each owner, stockholder, partner and/or member except in the case of publicly traded stock corporations. Along with each name, there shall also be included the contractor, miner, excavator and in the case of a partnership, corporation or limited liability company, the owner, stockholder, partner and/or member's physical and mailing address and telephone number.

3. Permit posting

The original permit or a copy thereof must be posted by the applicant at the entrance site of the dirt pit and/or pond where the applicant accesses the site from a public roadway.

4. Damages to public roads

- a. The dirt pit and/or pond's landowners and the contractor/miner/excavator shall be jointly, severally and in solido, responsible for obtaining and constructing access onto a public roadway. If the public roadway is surfaced, there must be an apron connecting the applicant's private roadway to the public roadway constructed in a manner that will prevent damage to the roadway.
- b. Any damages to the public roadway must be paid for by the landowner and/or the contractor/miner/excavator, jointly and severally.
- c. The contractor/miner/excavator shall be responsible to make sure operations at the dirt pit/pond construction do not impact road safety and to remove any dirt or clay that is spilled or tracked onto the public roadway.

5. Permit holder to provide access to parish inspectors

As a condition of the granting of a permit to undertake dirt pit/pond operations, the applicant and the landowner shall grant to the parish government's inspectors and/or compliance officers' complete access to the site for regular inspections, compliance enforcement, posting violations and issuing "STOP WORK" orders at all reasonable times.

6. Compliance enforcement

In the event that the permit holder/holders fail to comply with the requirements of this article the Tangipahoa Parish Council-President Government, in addition to any other remedies provided for herein or by other general law, shall be entitled to "STOP ALL WORK" at the site and suspend all pits/pond operations permit.

7. Special regulations

- a. Requirements for ponds of one acre or less in area on a single-family residential home site. An application must be submitted and fees paid in order to obtain a permit. The pond must be dug in a manner that will allow for it to hold water. For safety reasons, the edge of the pond will be sloped at a minimum ratio of 3:1. The edge of the pond can be no closer than 30 feet from a neighboring property line. During construction of the one acre or less size pond, if legitimate complaints arise, the parish government may require watering in order to control dust.
- b. Requirements for dirt pits and/or ponds more than one acre but no more than five acres in area. An application must be submitted along with the items set forth herein below in this paragraph before a permit may be issued pursuant to this article. If the merchantable timber is to be harvested from the site, a Tangipahoa Parish logging permit must be obtained. The applicant must present a plan for access to a state highway or to a parish roadway. A water truck may be required to control dust. If the site is constructed with the intention to create a pond, such pond will be constructed in a manner that will allow it to hold water and at the completion of the job, for safety reasons, the edges of the pond will be sloped at a minimum ratio of 3:1. The edge of any such dirt pit and/or pond can be no closer than 30 feet from a neighboring property line. Furthermore, to protect neighboring properties from damages to water wells, sewer systems and foundations, no such dirt pit or pond shall be located any closer than 200 feet from a neighboring property owner's existing residential house structure. If at any time the pit becomes abandoned, there shall be no pool of water or pond unless the edges of the pool or pond are sloped at a minimum ratio of 3:1. A permit for this size operation will be for a one-year term and must be renewed yearly thereafter during the operation. Prior to expanding the site to include excavation of more than five acres, the contractor/miner/excavator must apply for and obtain the permit required by subsection (c) of this section.

c. Requirements for pits and/or ponds more than five acres in area. These developments must follow the procedures set forth in Article 9 Section 17- 9.1, and once a permit is issued, the following requirements must be upheld; If timber is to be harvested to clear the site, a logging permit is required. A water truck must be maintained on the site and must be used daily to control dust except in the event of substantial periods of rain. If the site is constructed with the intention to create a pond, at completion of the job, such pond will be constructed in a manner that will allow it to hold water and for safety reasons, the edges of the pond will be sloped at a minimum ratio of 3:1. At all times, the edges of any such dirt pit and/or pond can be no closer than 30 feet from a neighboring property line. Furthermore, to protect neighboring properties from damages to water wells, sewer systems and foundations, no such dirt pit or pond shall be located any closer than 200 feet from an neighboring property owner's existing residential house structure. If at any time the pit becomes abandoned, there shall be no pool of water or pond unless the edges of the pool or pond are sloped at a minimum ratio of 3:1. A permit for this size operation will be for a one-year term and must be renewed yearly thereafter during the operation of the dirt pit. In addition to the other requirements for a permit.

8. Existing pits and/or ponds

Pits that are currently operating, meaning dirt has been removed from the site for commercial purposes, as of the effective date of this chapter, will be exempt from all requirements of this article, excepting that these existing sites will be required to submit an application to the permit office and receive an exempt permit. This exempt permit will be kept on site. The application must contain the following information: Name of landowner, mailing address and phone number, name and phone number of contractor/excavators, location of pit (access road), total acreage of site (total on deed, even if plans do not include the use of all acreage), and total anticipated size of pit. This information will be for permit office use only, but will be available to the public as required by law. Any modification to the existing operations and/or site must conform with this article.

9. Penalties

- a. Any person who violates the provisions of this article, as set forth hereinabove, will be guilty of a misdemeanor criminal offense punishable as provided in section 1-13 of the Code of Ordinances of Tangipahoa Parish, Louisiana.
- b. Each day that a violation of this said article exists will constitute a separate offense.

Sec. 17-9.4 AUTOMOBILE/VEHICLE IMPOUND FACILITIES, AUTOMOBILE/VEHICLE SALVAGE FACILITIES, USED CAR SALES AND RECYCLING FACILITIES

A.-Approval/Permit

1. These developments must follow the procedures set forth in Article 9 Section 17- 9.1
2. Prior to beginning operations, each facility located within the rural and incorporated areas of Tangipahoa Parish, Louisiana, will be required to obtain a permit to operate.
3. In order to obtain a permit, applicants must also provide to the Tangipahoa Parish Permit Office the following information, to-wit:
 - a. The applicant(s) must provide a written operational plan setting forth in detail the type of impound facility, salvage yard and/or recycling business to be permitted, the materials to be collected, material storage information and any processing methods typical for the business.

- b. The applicant(s) must provide a land survey showing the location of the facility or facilities along with the boundary lines, drainage plans and therein depicting the extent of the proposed operational area. The survey must show all locations of existing and proposed buildings, fences, processing areas and other relevant structures relating to the operation of the facility.
 - c. The applicant(s) must provide a written environmental assessment study conducted by a civil engineer or environmental consultant licensed by the State of Louisiana.
4. If there are any changes to the applicant's operations after a permit has been obtained, the applicant must report these changes to the Tangipahoa Parish Permit Office and provide the same information as originally provided and go through the same process to obtain a revised permit to operate under this article.

B. Definitions

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Automobile impound facility: a facility for the sole purpose of storing and holding operating and/or non-operating automobiles and other vehicles on a temporary basis and which vehicles have been towed to that facility by a properly licensed towing company.

Automobile salvage facility: a facility for the sole purpose of collecting and storing of non-operating automobiles and other vehicles for resale or to sell parts therefrom.

Recyclable material: is defined as material that is marketable as a recyclable product and is commonly listed as a recyclable commodity.

Recycling facility: a facility for the sole purpose of collecting, storing and selling recyclable materials.

Operational area: the confines of an establishment designed as operational or working areas that is defined by fencing, walls or other structural means of boundary identification.

C. Regulations

The following regulations for the placement and/or construction of automobile/vehicle impound facilities, automobile/vehicle salvage facility, used car auto sales, and/or recycling facilities and the operations are as follows:

1. Facilities will be permitted only where each such facility complies with all local, state and federal regulations regarding environmental pollution and each such facility has acquired all appropriate permits, occupational licenses and other documentation needed to be issued by local, state and federal regulatory bodies.
2. These developments must follow the procedures set forth in Article 9 Section 17- 9.1 and as follows:
 - a. The facility must be screened by a solid fence or fences, wall or walls and/or structure or structures at least ten feet in height and which fences, walls and/or structures must totally and completely enclose the operational areas of the facility so as to separate the operational areas from the public if the facility stores, holds or processes materials outdoors. If however, a facility stores, holds or processes any materials exclusively indoors, then the fencing requirements may be waived by the Tangipahoa Parish Council provided that no automobiles, vehicles and/or recycling materials are stored outdoors.
 - b. Any fencing, wall, structure or siding constructed by the applicant(s) must be constructed of quality building materials and these said materials must be of like material throughout the said fence, wall or structure. Building materials may

be treated to prevent rot or decay or may be painted or colored with appropriate colored paint such as white or an earth tone (i.e., brown, forest green, etc.).

c. The permit holder is to keep the fence, wall or structure in a constant state of good repair and no signs or other advertising materials shall be placed on the fence. The facility should be locked and secured at all times after regular working hours.

d. No materials will be piled or stacked to a height greater than ten feet and will be less than the height of the fence, wall or structure required to be constructed.

e. A minimum 50-foot buffer will be established between the operational areas and the adjoining property. No storing, holding, processing of materials or any other work associated storage will be conducted within the designated buffer zone.

f. Front building lines and fence lines must conform to the average building lines established in an area including that of any residents. Adjoining properties but in any case, the front building line shall be set back at least 50 feet from the adjacent public road or street line.

g. As regards the side yard; all sides of the facility and the fence line must be at least 50 feet from adjacent property lines but at least 150 feet from any existing residence structure or other building on adjacent property unless the adjoining property owner specifically grants written permission for a waiver of this requirement.

h. As to the rear yard, the rear yard shall not be limited as to depth but must be totally surrounded by solid fences, walls or other approved structures.

i. The property onto which an automobile/vehicle impound facility, an automobile/vehicle salvage facility and/or a recycling facility is located must be maintained to a grass height of no more than 12 inches.

j. All exits and entrances to a facility herein permitted shall provide for clear site distances and safe access to and from the public roadways.

k. Any major drainage channels will be designed with sufficient culverts and rights-of-way to provide for natural water flow and maintenance of drainage.

l. The disposal of waste and sewerage will meet all appropriate parish and state ordinances and regulations.

3. Additional Required Documents

a. The applicant(s), prior to receipt of a permit and the commencement of operations, complete an environmental impact assessment for all proposed uses at the time of the permit application.

b. These developments must follow the procedures set forth in Article 9 Section 17- 9.1

c. The applicant(s) must provide an accurate drainage plan certified to by a licensed engineer in the State of Louisiana as a requirement of the application and prior to the issuance of any permit provided by this chapter.

4. Additional Operational Standards

a. Materials collected in storage must be stored with like materials and must be stored in a manner to prevent the harboring of vectors and shall not create an unpleasant or unsightly view.

b. Water will not be allowed to collect or hold within the stored automobile, vehicle and/or stored recyclable material to promote the breeding of rodents, vermin, roaches, mosquitos or other nuisances.

c. Rodents, vermin, roaches, mosquitos and other pest will be controlled on the premises by regular treatment of the site with insecticides and rodent bait.

d. Upon the discovery by the Tangipahoa Parish Building Inspector that any person, corporation, company, partnership or other entity is in violation of this article, then such person, corporation, company, partnership or other entity

shall be given 48 hours written notice to cure or correct the violation and in failing to do so then to cease operations. If the violation continues after this notice and the passage of 48 hours from receipt of such a written notice, then the violators shall be subject to such criminal fines and civil penalties as may be provided for in this Code.

e. The failure to comply with the above requirements or to obtain a permit prior to beginning operation of any automobile/vehicle impound facility, an automobile/vehicle salvage facility and/or a recycling facility or the later operating of any such facility in violation thereof shall be punished by a civil fine of \$500.00 per day for each day that the violation continues. Each 24-hour period that a violation continues shall be a separate violation and subject to the above said fine of \$500.00 per day.

f. The violation shall be deemed to continue until all material contained on the property has been removed from the property and/or a certificate of compliance for this section has been issued by the Tangipahoa Parish Permit Office.

g. The provisions of this article shall apply prospectively from December 13, 1999, however these regulatory provisions shall not interfere with the operations of junk yards in existence, validly operating pursuant to validly issued permits and doing business as a junk yard on December 13, 1999, except that all junk yards will be reclassified and be required to obtain a permit pursuant to this chapter.

5. Annual yearly renewal/updated permit

a. Each permit issued pursuant to this article will be for an initial one-year term. For all subsequent years, an annual renewal permit will be issued upon receipt of a certification from the permit holder that the original information contained in the initial permit application remains unchanged and the payment of a renewal permit fee is at \$25.00.

b. If there is any material change in the original information provided by the applicant to the parish government in order to obtain the initial permit, the permit holder shall at the time of any such change reapply to the Tangipahoa Parish Permit Office for a permit in the same manner as for obtaining the initial permit and an update permit fee of \$25.00 will be due.

6. Jurisdiction

The Tangipahoa Parish Council-President Government will have jurisdiction over automobile/vehicle impound facilities, automobile/vehicle salvage facilities and/or recycling facilities as provided for in this article anywhere in the rural and unincorporated areas of the parish.

All civil fines collected by the Tangipahoa Parish Council-President Government for violations of this article must be paid to the Tangipahoa Parish Council-President Government.

7. Criminal penalty

The violation of the provisions of this article as relates to automobile/vehicle impound facilities, automobile/vehicle salvage facilities and/or recycling facilities will be subject to the person or persons responsible for this violation to the criminal penalties provided in section 1-13 of the Tangipahoa Parish Code of Ordinances and each day of such violation will be considered a separate offense.

Sec. 17-9.5 HALFWAY HOUSES AND JUVENILE DETENTION FACILITIES

A. Definitions

Halfway house: a residential facility or institution designed to rehabilitate persons who have left a hospital or prison.

Juvenile detention facilities: a residential facility or institution to rehabilitate young person's less than eighteen (18) years of age, who have committed crimes and/or who have been diagnosed as being addicted to and being treated for the compulsive use of habit-forming drugs, specifically including but not limited to alcohol, narcotic drugs, prescription medication and/or illegal drugs.

B. Parish Approval & permit

1. These developments must follow the procedures set forth in Article 9 Section 17- 9.1

In addition to meeting the requirements of state and federal laws and regulations and to better ensure that these requirements are met, prior to the commencing of the operation of any type of halfway house, and juvenile detention facility in Tangipahoa Parish. Each such facility must first request and obtain an approval from the Tangipahoa Parish Council-President Government. In order to obtain this approval, the owner and/or operator of the facility must send a written request for an application/approval to operate the facility to the Tangipahoa Parish Council through its clerk at Post Office Box 215, Amite, Louisiana 70422. And therein shall set forth the location of the proposed facility and include therein both its street address and property description, its mailing address and telephone number, a written statement outlining the nature of the proposed facility, the number of persons that the facility is seeking an application to house. A written description as to how the facility will address its occupants' health care needs, detailed architectural plans for the building structure or structures to be utilized in connection with the operations of the facility and a certification that all requirements of federal, state and parish governmental regulation have been or will be fully and completely complied with. As to any regulation to be complied with at a later date, a time table for full compliance shall also be included. This request for an application also includes a copy of all necessary federal and state licenses and/or permits and/or approvals, along with a certification that the facility is fully handicapped accessible and complies with all requirements of the Louisiana Fire Marshall's Office. Thereafter the request/application shall be reviewed by the Clerk of the Tangipahoa Parish Council to determine if the requested information has been provided. Thereafter, if the Clerk of the Tangipahoa Parish Council believes that the information has been provided, the said clerk shall put together a packet of the materials provided by the applicant and shall forward a copy of this packet to each councilman, then place this application request on the next agenda of the Tangipahoa Parish Council for initial review. Thereafter if the application request appears to be in order, the parish council will set a public hearing date as set forth herein below and direct the subsequent drafting of an ordinance to grant the requested permit.

C. Requirements.

1. Facilities requiring an approval under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall provide supervisory personnel on a 24-hour basis. These supervisory personnel shall consist of one live in/full-time supervisor for a facility housing one to 20 persons; two live in/full-time supervisors for a facility housing 21 to 40 persons; three live in/full-time supervisors for a facility housing 41 to 60 persons; and one additional supervisor who lives at the facility and works there as his/her full-time occupation for each additional person, up to 20 persons housed at the facility after 60. All such supervisors shall have clean criminal records. No supervisor must have ever been convicted of a felony grade offense in any jurisdiction. An average of one or more full-time live in staff person/supervisor shall be on staff for each 20 persons housed at the facility.
2. Facilities requiring an approval under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances will provide its residents, patients and/or occupants with regular access to health care providers.

3. Facilities requiring an approval under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall be fully handicapped accessible and shall comply with all federal and state requirements for equal access to the handicapped.
4. Facilities requiring an approval under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall be inspected and approved by the Louisiana State Fire Marshall prior to opening and on a regular basis thereafter.
5. Facilities requiring an approval under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall be maintained in a clean and sanitary condition and shall be inspected and approved by the Tangipahoa Parish Sanitarian or an assistant sanitarian as the representative of the Louisiana Department of Health and Hospitals, Department of Public Health prior to opening and on a regular basis thereafter.
6. No facility requiring an approval under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall be constructed in a federally designated flood zone without first obtaining the approval of the United States Corp of Engineers.
7. The owner and any operator of a facility requiring a permit under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall at all times maintain general liability insurance coverage with an insurance company licensed to do business within the State of Louisiana in the minimum amount of \$1,000,000.00 per incident and \$5,000,000.00 in aggregate coverage.
8. The owner and any operator of a facility requiring a permit under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances having facilities capable of housing 20 or more persons under his/her/their/its care must provide a security fence around the facility. This fence shall consist of chain link construction at least eight feet in height, shall be completely lighted and shall have an open security zone of 100 feet on each side of the fencing. No shrubs, trees, obstructions, or impediments to vision shall be located within this security zone. Lighting for the security fence and the security zone must be provided from dusk until dawn.
9. The owner and any operator of a facility requiring a permit under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances having facilities capable of housing 20 or more persons under his/her/their/its care shall provide 24-hour security guard services for the facility.
10. If the facility houses any persons convicted of sex offenses or violent crimes such as murder, attempted murder, man slaughter or armed robbery, a sign shall be posted at each entrance to the facility on at least four-foot by six-foot surface with four-inch lettering to notify and inform the public of this fact. This signage shall be in addition to any other signage required under state or federal law.
11. The owner and any operator of a facility requiring a permit under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall maintain his/her/their/its facility in such a manner as to curtail any criminal activity by the persons housed at the facility.
12. The owner and any operator of a facility requiring a permit under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall construct the physical structures housing its occupants in the center of the property where it is located.

D. Issuance of permit.

1. Prior to the issuance of a permit hereunder, the Tangipahoa Parish Council shall first set a public hearing and in connection therewith publish a notice of the public hearing in its official journal. This public notice shall include the municipal address of the proposed facility, the voting district of the proposed facility and the date and time of the hearing. Permits as required herein shall be issued only after a public hearing and thereafter the introduction and passage of an ordinance of the

Tangipahoa Parish Council-President Government at which there will be a second public hearing.

2. Permits issued pursuant to article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall be for a period of five years. Within six months of the permit's expiration, a permit renewal must be sought by the owner of any facility operating under a permit issued pursuant to article X of chapter 13 of the Tangipahoa Parish Code of Ordinances. The process for this renewal of the permit shall be the same as the original permit.

3. Any permits previously issued pursuant to article X of chapter 13 of the Tangipahoa Parish Code of Ordinances are hereby declared to be for a period of five years from the date of issuance.

E. Prohibition against treatment of sexual disorders.

1. No facility operating under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall be engaged in the treatment of deviant sexual disorders.

2. No persons having been diagnosed with a deviant sexual disorder or having been designated as a sex offender and required to register as a convicted sex offender under Louisiana law shall receive treatment at an addictive disorder treatment facility licensed under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances.

3. It is the intention of the Tangipahoa Parish Government to prohibit any inpatient treatment facility within the rural and unincorporated areas of Tangipahoa Parish from treating or housing persons diagnosed with deviant sexual disorders or convicted as a sex offender.

F. Grounds for revocation of permit.

1. Any facility operating with a permit issued pursuant to article X of chapter 13 of the Tangipahoa Parish Code of Ordinances that fails to meet the requirements of this article shall have its permit revoked by the Tangipahoa Parish Council-President Government by an ordinance duly passed by the Tangipahoa Parish-President Government and provided that before the introduction of any such ordinance to revoke a permit issued pursuant to this article, there shall first be a duly noticed hearing on this issue. The holder of the permit shall be provided with notice of this hearing at least ten days in advance of the hearing and this notice shall clearly state therein the requirements of this article that are alleged to have been breached by or at the facility. The permit holder and the Tangipahoa Parish Council-President Government shall each present sworn testimony and documents at this hearing in support of that parties' position. This hearing shall be open to the public.

2. If any occupant of the facility is convicted of a criminal offense or there is evidence that criminal activity has resulted and this criminal conduct or criminal activity has resulted due to a breach of the permit holder's duties and responsibilities as provided in this article, then the facility is subject to have its permit revoked as outlined hereinabove in this section.

G. Penalty

In addition to civil sanctions, as provided by law, any person, corporation, company, partnership or entity, who owns or operates a facility required to be permitted pursuant to article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall be guilty of a separate criminal offense for each day of operation and shall be subject to punishment as provided for in section 1-13 of chapter 1 of the Tangipahoa Parish Code of Ordinances.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

The above and foregoing ordinance having been duly submitted to the Tangipahoa Parish Council in writing; introduced at a public meeting of the Tangipahoa Parish Council; discussed at the said public hearing; after motion and second was submitted to the official vote of the Tangipahoa Parish Council.

On motion by _____ and seconded by _____, the foregoing ordinance was hereby declared adopted on this 26th day of July, 2021 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Kristen Pecararo
Clerk of Council
Tangipahoa Parish Council

Brigette Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: July 12, 2021

PUBLISHED: July 22, 2021 - OFFICIAL JOURNAL
Hammond Daily Star

ADOPTED BY TPC: July 26, 2021

DELIVERED TO PRESIDENT: _____ day of July, 2021 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July, 2021 at _____

ARTICLE IX - DEVELOPMENTS WITH SPECIAL PROVISIONS

Sec. 17-9.6 Renewable Energy Power Plants-

A. General Standards

B. Solar energy - The purpose of this section is to establish minimum requirements and regulations for the placement, construction and modification of solar power plants, as defined herein, while promoting the safe, effective and efficient use of such energy systems.

C. Definitions

"Abandonment" – means if any Solar Power Plant falls into a state of disrepair for a one-year period, such Solar Power Plant shall be deemed abandoned. Should the cause of the disrepair be due to any natural disaster, or other force majeure, the owner/operator shall request an extension beyond the one-year date and submit a plan of repair to the Parish Council.

"Accessory Solar Energy Systems," include any photovoltaic, concentrated solar thermal, or solar hot water devices that are accessory to, and incorporated into the development of an authorized use of the property, and which are designed for the purpose of reducing or meeting on-site energy needs.

"Concentrating Solar Thermal Devices," also known as "Concentrated Solar Thermal Power (CST)," are systems that use lenses or mirrors, and often tracking systems, to focus or reflect a large area of sunlight into a small area. The concentrated energy is absorbed by a transfer fluid or gas and used as a heat source for either a conventional power plant, such as a steam power plant, or a power conversion unit, such as a sterling engine. Although several concentrating solar thermal technologies exist, the most developed types are the solar trough, parabolic dish and solar power tower.

"Photovoltaics (PV)," is a technology that converts light directly into electricity.

"Solar Power Plant," except as expressly limited below, means any use of land where a series of one or more Solar Energy Systems are placed in an area on a parcel of land for the purpose of converting sunlight into electricity, photovoltaics (PV), for the primary purpose of wholesale or retail sales of generated electricity.

D. General Regulations

1. All solar power plants must comply with the following minimum regulations and design standards.
2. Local, State and Federal Permits. A Solar Power Plants must be required to obtain all necessary permits from the Louisiana Department of Environmental Quality, including the Louisiana Division of Air Quality and the Louisiana Division of Water Quality; the Louisiana Department of Natural Resources; and any applicable permits required by Tangipahoa Parish, and applicable Federal permits.
3. This ordinance shall be supplemental to, and shall not abridge any other applicable local, state, or federal rules, regulations, or laws, including without limitation any more restrictive provision set forth in this chapter. Should any state or federal legislation go into effect, owner/developer must comply with any such rules which may apply.

4. A valid Special provision application, Building Permit, Electrical Permit and ongoing compliance to this ordinance is mandatory for all Solar Power Plants.

5. Application Requirements - All applications and plans for solar power production must include all the following:

- a. Name of the project, names and addresses of the business owner(s), names of the property owner(s) and the engineers and surveyors.
- b. If the site is leased, a lease memorandum executed by all parties to the lease.
- c. Date, scale and accurate North arrow of the site plan showing all property to be included in the project.
- d. Boundaries and actual dimensions and shape of parcel, including total acreage, with bearings and distances.
- e. Site plan showing streets, circulations, driveways, service buildings, easements, arrangement and number of solar panels, and streets; also fencing, gates and vegetative buffer.
- f. Horizontal and vertical (elevation) to scale drawing with dimensions that show the location of the solar panels and system on the property.
- g. Vicinity map showing the location and surrounding land use.
- h. Names and addresses of adjoining property owners.
- i. Elevation certificate and drainage plan.
- j. Land Contours,
- k. Plan illustrating the intended layout and greenspace.
- l. Traffic plan during construction phase,
- m. Other state and federal permits.
- n. Other features and designs as deemed reasonably necessary from time to time by the Tangipahoa Parish Council.
- o. A Decommission Plan in compliance with this ordinance.
- p. Economic Impact Report
- q. Any parcels that are part of the project that is interrupted by a road or other parcels not part of the project must be identified on the site plan labeled as individual areas (example: a, b, c...).
- r. An application fee of \$750.00.

E. Provisions for permit review

1. Following the provisions of Tangipahoa Parish Code, additional or more thorough consideration shall be given to the following as the Parish determines whether the project needs to be approved, denied, or conditionally approved:

2. Project Rationale. Project rationale, including estimated construction schedule, project life, phasing, and likely buyers or markets for the generated energy.

3. Siting Considerations. Siting considerations, such as avoiding areas/locations with a high potential for biological conflict such as wilderness study areas, areas of environmental concern, county and state parks, historic trails, special management areas or important wildlife habitat or corridors; avoiding visual corridors that are prominent scenic viewsheds, or scenic areas designated by the parish; avoiding areas of erodible slopes and soils, where concerns for water quality, severe erosion, or high storm runoff potential have been identified; and, avoiding known sensitive historical, cultural or archeological resources.

4. Site and Development Plans. Site and development plans, which identify and/or locate all existing and proposed structures; setbacks; access routes; proposed road improvements; any existing inhabitable structures within one-quarter mile of a photovoltaic solar project or one-half mile of a concentrated solar project; existing utilities, pipelines, and transmission lines; proposed utility lines; utility and maintenance structures; existing topographic contours; existing and proposed drainageways; proposed grading; areas of natural vegetation removal; revegetation areas and methods; dust and erosion control; any floodplains or wetlands; and other relevant items identified by the parish staff or planning commission. All maps and visual representations need to be drawn at an appropriate scale.
5. Due to the complexity of large-scale solar power plant projects, the applicant must submit an economic impact study detailing the estimated economic impact on the Parish, including but not limited to jobs created, estimated annual taxes, or any other information that may be required by the Parish.
6. Visual Impacts, Appearance, and Scenic Viewsheds. Potential visual impacts may be caused by components of the project such as above ground electrical lines, accessory structures, access roads, utility trenches and installations, and alteration of vegetation. More visually sensitive proposals may require analysis from significantly more vantage points, such as different distances and sensitive locations. A photo simulation is required. Significant visual impacts that cannot be adequately mitigated are grounds for denial.
7. Wildlife Habitat Areas and Migration Patterns. Specifically include information on any use of the site by endangered or threatened species and whether the project is in a biologically significant area. If threatened or endangered species exist in the area, consultation with the United States Fish and Wildlife Service (USFWS) will be necessary.
8. Environmental Analysis. In the absence of a required state or federal agency environmental review for the project (e.g., NEPA), the parish will require an analysis of impacts to historic, cultural and archaeological resources, soil erosion (water and wind), flora, and water quality and water supply in the area.
9. Solid Waste or Hazardous Waste. As applicable, the application must include plans for the spill prevention, clean-up, and disposal of fuels, oils, and hazardous wastes, as well as collection methods for solid waste generated by the project.
10. Height Restrictions and FAA Hazard Review. Compliance with any applicable airport overlay zoning requirements and the ability to comply with FAA regulations pertaining to hazards to air navigation must be demonstrated if within five nautical miles of a FAA regulated airport.
11. Prior to work and during all construction until complete a Transportation Plan for Construction and Operation Phases. Follow Tangipahoa Parish Code of Ordinances Chapter 20, section 20-11.
12. The Drainage Plan must follow the latest development drainage requirements of the Parish of Tangipahoa (Tangipahoa Parish Code of Ordinances Chapter 17, section 17-10.1).
13. STORMWATER POLLUTION PREVENTION PLAN (SWPPP) - is a site-specific written document and drawing(s) required by the EPA and LDEQ for LPDES general permits for discharge of stormwater from construction activities (LAR100000 AND LAR200000), LPDES multi-sector general permit, or any LPDES individual permit which describes and ensures the implementation of practices that are to be used to reduce the pollutants in stormwater discharges associated with construction or other industrial activity at the facility.

14. Public Safety. Identify and address any known or suspected potential hazards to adjacent properties, public roadways, communities, aviation, etc., that may be created by the project.

15. Noise limitations. Submit sufficient information regarding noise, so as to demonstrate compliance below Sixty dBA as in section 5 below.

16. It is preferred that any related special provision application applications for substations or transmission lines be considered in conjunction with the special provision application for the solar power plant; however, if the details of those improvements are not available at the time of application for the solar power plant, they may be considered later, through subsequent special provision application review. At a minimum, the intended route for connecting to the power grid and the alternative locations of any substation must be disclosed with the application for the solar power plant.

17. Decommissioning Plan. Describe the decommissioning and final land reclamation plan to be followed after the anticipated useful life, or abandonment, or termination of the project, including evidence of proposed commitments with affected parties (parish, any lessor or property owner, etc.) that ensure proper final reclamation of the solar energy project. Among other things, revegetation and road repair activities should be addressed in the plan.

F. Design standards

1. Minimum Site Size. No concentrated solar thermal power plant will be erected in Tangipahoa Parish. No photovoltaic solar power plant will be erected on any site less than ten acres in size.

2. Agreements/Easements. If the land on which the project is proposed is to be leased, rather than owned, by the solar energy development company, all property within the project boundary must be included in a recorded easement(s), lease(s), or consent agreement(s) specifying the applicable uses for the duration of the project. All necessary leases, easements, or other agreements between the solar development company and the affected parties must be in place prior to commencing construction, unless specified otherwise by the conditional use permit. A copy of any signed lease memorandum must be submitted with the application and filed with the Tangipahoa Parish Clerk of Court.

3. Maximum Height. The height of solar panels shall be measured from the highest natural grade below each solar panel to the top of that panel. Panel height will not exceed fifteen feet. Poles and wires reasonably necessary to connect to public electric utilities shall not be subject to this requirement.

4. Setbacks and Screening. Solar power plant must be set back from all project boundary lines which make up the site perimeter with at least a fifty-foot vegetative buffer. In addition, solar power plant structures must be located at least five hundred feet from all existing occupied residences, places of worship or occupied structures. Additional setbacks may be required to mitigate noise, or to provide for designated road or utility corridors, as identified through the review process.

5. A vegetative maintenance plan is required for general upkeep of the premises. Adherence to the plan will be subject to periodic inspections by the Parish.

6. Vegetated areas will not be subject to chemical fertilization or herbicide/pesticides application, except for those applications necessary to establish the vegetative cover and in accordance with the approved vegetative maintenance plan.

7. Solar Power Plants must be constructed with evergreen vegetative screening. Landscape buffers for these developments must meet the following requirements:

a. Existing forested vegetative buffers. Existing undisturbed vegetative buffers with (6) trees over 50 feet deep within every 100 foot of project boundary line shall not be required to install new plant material if the existing vegetation creates a continuous opaque visual barrier within 25 feet of the project boundary line. Existing vegetative buffer locations where gaps are within the visual barrier, shrubs must be added along the edge of the property line as required to create an opaque barrier. New shrubs shall reach a minimum of 6 feet within a 3-year period. Vegetative planting must only use native trees and shrubs as listed in Appendix D.

b. Landscape Buffers zones without any trees or shrub must install the following planting material;

1. For every 50 foot of project buffer zone a new 25-foot-deep landscape buffer must be installed and comprised of (6) class "A" trees, (3) class "B" trees and (24) shrubs.

2. Shrubs must be installed in a continuous line as to create a continuous 6-foot opaque visual barrier within 3 years.

c. Landscape Buffer Materials must meet the following requirements:

1. A minimum of fifty (50%) of all plants must be evergreen.

2. No more than thirty percent (30%) of any one species will be allowed.

3. Evergreen trees will be a minimum of six (6) feet in height at installation.

4. Deciduous trees must have a minimum of 2 ½ inch caliper at installation.

5. All shrubs must be a minimum of eighteen (18) inches in height at installation.

6. A minimum of fifty percent (50%) of the evergreen shrubs must reach a minimum of five (5) feet within three (3) years of installation.

7. All landscaping must be maintained and warranted for 1 year. Any plant material during the 1-year period deemed to be unhealthy by the Parish must be replaced immediately.

8. Stamped landscape plans by a licensed landscape architect or landscape horticulturalist must be required for permitting. At the completion of the Landscape Buffer installation a certification of completion signed by the licensed landscape architect or landscape horticulturalist designer of record must be submitted to the Parish.

9. Vegetative planting must only use native trees and shrubs as listed in Appendix D.

10. Failure to continuously maintain the foregoing visual buffers will constitute a violation.

8. The individual photovoltaic panels within an "array" are arranged in a fashion that:

a. Allows the passage of runoff between each module, thereby minimizing the creation of concentrated runoff.

b. Allows for the growth of vegetation beneath the panel and between "arrays."

9. Power inverters and other sound producing equipment must be no less than three hundred feet from any dwelling unit at the time of construction / installation.

10. Safety/Access - Fencing and gates are required around the perimeter of all Solar Power Plants. Nothing contained herein shall be construed to block reasonable access to any Solar Power Plant including required vegetative buffer. This is specific to new right away and roads to be built to the Solar Power Plant.

a. A six-foot security fence must be placed around the perimeter of the solar power plant. Lock boxes and keys must be provided at locked entrances for emergency personnel access and appropriate access. A twelve-foot access easement inside the fence is required for emergency access.

b. Appropriate warning signage must be placed at the entrance and perimeter of the solar power plant project every 200 feet.

11. Ground mounted solar panels that are supported with structures/foundations require little earth disturbance for their installation/construction. Unless evidence is provided to the contrary, it will be assumed that for these ground mounted solar panels themselves (not including access drive, etc.).

12. These developments must follow the land disturbance for grading as identified in subsection 17-5.3 D-H.

13. Noise. No operating solar power plant shall produce noise that exceeds any of the following limitations. Adequate setbacks must be provided to comply with these limitations.

a. Sixty dBA, as measured at the property lines of the project boundary, unless the owner of the affected property and the planning commission agree to a higher noise level, as follows.

14. Visual Appearance.

a. Lighting of the solar power plant and accessory structures must be limited to the minimum necessary and full cut-off lighting (e.g., dark sky compliant) may be required when determined necessary to mitigate visual impacts. Lights must be shielded and downcast.

15. Electrical interconnections and distribution components must comply with all applicable codes and public utility requirements.

16. Fire Protection. All solar power plants must have a defensible space for fire protection in accordance with State of Louisiana and Tangipahoa Fire Code.

17. Experience and research has shown there are legitimate concerns regarding the possibility for Solar Power Plants to cause a glare hazard for pilots and/or traffic controllers. To address these concerns, all applications submitted pursuant to this Ordinance for approval of any Solar Power Plant permit must include a detailed map analysis highlighting all airport operations and/or designated flight paths within five (5) nautical miles of the outermost proposed boundaries of any proposed Solar Power Plant, and for all such airport operations or designated flight paths located therein, must additionally include:

a. A certified letter of a Notice of Intent to Construct a Solar Power Plant (containing at a minimum, the Solar Power Plant's exact proposed location, type(s) of solar technology devices to be used, and overall size including total acreage and surface areas of all panels or other reflective devices).

b. A full report of potential Aviation Glare Hazards (AGH) arising from the proposed Solar Power Plant on all such airport operations and/or designated flight paths using the most recent version of the Department of Energy's

Sandia National Laboratories recently developed glare hazard assessment tool (or any other assessment tool required or otherwise recommended by the FAA) in accordance with its user manual, and applying the same evaluation standards required and otherwise recommended by the FAA for evaluating AGH of off-airport solar projects, it being the intent of the Ordinance to require all applicants to utilize the most recent and thorough evaluation techniques of measuring AGH then available and required or otherwise recommended by the FAA, as modified from time to time.

c. Proof of said Notice and Full Report being actually delivered not less than ninety (90) days prior to the submission of any application for a Solar Power Plant permit made hereunder to all the following: The local Airport District Office or the FAA with oversight over Tangipahoa Parish, Louisiana for any airport operated under FAA regulations as part of the National Plan of Integrated Airport Systems (NPIAS) (including without limitation the Hammond Regional Airport); The airport management for all NPIS and non-NPIAS airport(s); and the affected military airport or low altitude flight paths in said area.

d. Changes in proposed Solar Power Plant design standards prior to any permit approved under this Ordinance will require proof of re-delivery of an updated Notice and Full Report in accordance with the foregoing provisions.

G. Permit Applications

1. A permit application is required for each identified area (a, b, c..) submitted as part of a project.
2. The permit fee is \$60.00 per acre.
3. All plans must be certified by licensed Louisiana Engineer.
4. Solar panel materials must be listed and labeled by a Nationally Recognized Testing Agency. Documentation of compliance must be provided with the seal and signature of a licensed design professional in Louisiana.
5. Any permit issued pursuant to this Chapter will expire three years from the date of issuance, unless construction has commenced. After the expiration of a permit, the applicant may reapply.

H. As-Built Plans

1. Upon completion of site construction, a certified as-built plan by an engineer must be submitted to the Tangipahoa Parish Engineer and/or Drainage District Engineer for approval. The as-built plan shall receive approval prior to final inspection and prior to issuance of any Letter of Completion and/or the notice to proceed to any Utility provider. Once approved, it must be filed with the Clerk of Court.

I. Decommissioning, Abandonment, Hazard Abatement

A signed and notarized Decommissioning Plan must be submitted to the Tangipahoa Parish. It must be in a form suitable to be recorded with Tangipahoa Clerk of Court. The Decommissioning Plan must include at the minimum all the following provisions and requirements:

1. Initiation upon "Abandonment" of a Solar Power Plant as defined in this ordinance.
2. A five (5) year bond in the amount of the anticipated decommissioning cost. The cost of decommissioning must be reevaluated every five years and a new bond must be posted to reflect the anticipated cost. Every year a certified letter must be submitted to the parish showing record of all premiums paid.

3. Any additional conditions which may be defined or established from time to time by the Tangipahoa Parish Council upon which decommissioning will be initiated (i.e., of lease, condition of a potential public safety hazard, etc.)
4. Complete removal of all non-utility owned equipment conduits, structures, fencing, roads and foundations; and restoration of property to condition prior to development of the Solar Power Plant, unless the landowner requests in writing that the access roads or other land surface areas not be restored.
5. The decommissioning plan must provide for the remediation of any environmental hazards remaining on the site, as determined by the EPA, Louisiana DEQ, or Tangipahoa Parish Government.
6. The timeframe for completion of removal and decommissioning activities must begin within sixty (60) days of termination of site use, abandonment, or revocation of permit and be completed within twelve months unless otherwise extended by Tangipahoa Parish Council within its sole discretion for good cause shown.
7. If the Solar Power Plant, the contract, lease, or any other interest in the Solar Power Plant, is going to be sold, the new owners must follow the above steps required for the decommissioning plan.
8. A signed statement from the party responsible for completing the Decommissioning Plan acknowledging such responsibility.

Upon any failure to initiate or complete any Decommission Plan, the Parish or its authorized representative may take action as authorized by law including but limited to call the bond, revoking any previously issued permits, initiate any civil action or criminal action as described below.

J. Conflict of Laws & Severability Clauses—Solar power plants.

1. Whenever the regulations of the ordinance conflict with each other, or with the requirements of any other statute, the more restrictive regulation will apply.
2. Should any section or provision of the ordinance be determined by a court of competent jurisdiction to be unconstitutional or invalid, such determination or decision will not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

K. Violations

1. Upon finding of any inappropriate or illegal activities on the part of any person which would violate the provisions of this ordinance, the Planning Department Director or their designee shall notify in writing the person(s) responsible for such actions indicating the followings:
 - a. The nature of the violations
 - b. The action(s) necessary to correct the violation(s).
 - c. The date by which corrective action(s) should be taken and completed.
 - d. Action(s) which will take place if such corrective action is not taken.
 - e. When such corrective action has not been taken or is deemed inadequate based upon the conditions listed in the ordinance, an order for the discontinuance of the use or occupation of any land, building or structure or any illegal additions, alterations or structural changes thereto may be issued.
 - f. Any other action authorized by this ordinance to ensure compliance with, or to prevent violation of any provision.
 - g. Any person violating any provision of the ordinance shall be guilty of a misdemeanor and upon conviction shall be punished for each offence, not more than \$500 or imprisonment not to exceed thirty (30) days. Each day such violation continues shall be deemed to be a separate offence.

C. Wind energy – RESERVED.

D. Hydro energy – RESERVED.

- E. Tidal energy – RESERVED.**
- F. Geothermal energy – RESERVED.**
- G. Biomass energy – RESERVED.**

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

The above and foregoing ordinance having been duly submitted to the Tangipahoa Parish Council in writing; introduced at a public meeting of the Tangipahoa Parish Council; discussed at the said public hearing; after motion and second was submitted to the official vote of the Tangipahoa Parish Council.

On motion by _____ and seconded by _____, the foregoing ordinance was hereby declared adopted on this 26th day of July, 2021 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

 Kristen Pecararo
 Clerk of Council
 Tangipahoa Parish Council

 Brigette Hyde
 Chairwoman
 Tangipahoa Parish Council

INTRODUCED: July 12, 2021

PUBLISHED: July 22, 2021 - OFFICIAL JOURNAL
 Hammond Daily Star

ADOPTED BY TPC: July 26, 2021

DELIVERED TO PRESIDENT: _____ day of July, 2021 at _____

APPROVED BY PRESIDENT: _____
 Robby Miller Date

VETOED BY PRESIDENT: _____
 Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July, 2021 at _____

T.P. Ordinance No. 21-50

AN ORDINANCE ESTABLISHING A NO TRUCK ROUTE ON NORTH HOOVER ROAD IN TANGIPAHOA PARISH IN ACCORDANCE WITH CHAPTER 20, STREETS, ROADS, SIDEWALKS AND DRAINAGE - ARTICLE I, IN GENERAL - SECTION 20-16

BE IT ORDAINED by the Tangipahoa Parish Council, governing authority of Tangipahoa Parish, State of Louisiana, as follows:

- 1) A no truck route be established for North Hoover Road and to post signs accordingly.
- 2) To post a weight limit of 10/15 tons on the bridge at North Hoover Road Bridge approximately .25 miles north of La.22.

in Accordance with Chapter 20, Streets, Roads, Sidewalks and Drainage - Article I, in General - Section 20-16.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

The above and foregoing ordinance having been duly submitted to the Tangipahoa Parish Council in writing; introduced at a public meeting of the Tangipahoa Parish Council; discussed at the said public hearing; after motion and second was submitted to the official vote of the Tangipahoa Parish Council.

On motion by _____ and seconded by _____, the foregoing resolution was hereby declared adopted on this the 26th day of July, 2021 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Kristen Pecararo
Clerk of Council
Tangipahoa Parish Council

Brigette Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: July 12, 2021

PUBLISHED: July 22, 2021

- OFFICIAL JOURNAL
Hammond Daily Star

ADOPTED BY TPC: July 26, 2021

DELIVERED TO PRESIDENT: _____ day of July, 2021 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July, 2021 at _____

T.P. Ordinance No. 21-51

AN ORDINANCE TO GRANT VARIANCES TO TANGIPAHOA PARISH CODE OF ORDINANCES CHAPTER 17 FOR OTIS BETTS JR. AT 44336 ZENO LANE, HAMMOND, LOUISIANA 70403 IN TANGIPAHOA PARISH COUNCIL DISTRICT NO. 8

WHEREAS, Tangipahoa Parish Code of Ordinances Chapter 17-5.2 (A) (1) states that an individual parcel of record shall be a minimum of on half (1/2) acre for placement of a manufactured home; and

WHEREAS, Tangipahoa Parish Code of Ordinances Chapter 17 Section 17-4.2 (A) (2) states that lots shall have min of 125' frontages on either a public road, existing private road as record with the Parish 911 office, existing permanent access right-of-way, easement, or servitude recorded at Tangipahoa Parish Clerk of Court, or new private road or ROW as approved for certain uses in these standards; and

WHEREAS, Tangipahoa Parish Code of Ordinances Chapter 17 Section 17-4.2 (A) (3) (a) states that lots shall have a minimum total square footage of 21,780 sq feet or 1/2 acre; and

WHEREAS, the Betts' lot of record is lacking street frontage- 121' frontage where 125' required and total square feet of property- 12,626.35 sq feet of lot where 21,780 sq feet is required.

THEREFORE BE IT ORDAINED by the Tangipahoa Parish Council-President Government, governing authority of Tangipahoa Parish, State of Louisiana, that the aforementioned variances to the Tangipahoa Parish Code of Ordinances, Parish of Tangipahoa, State of Louisiana, be granted to the Betts' property at 44336 Zeno Lane, Hammond, Louisiana 70403 in Tangipahoa Parish Council District No. 8;

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said Council and was submitted to an official vote of the TPC.

On motion by _____ and seconded by _____, the foregoing ordinance was hereby declared adopted on this 26th day of July, 2021 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Kristen Pecararo
Clerk of Council
Tangipahoa Parish Council

Brigitte Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: July 12, 2021

PUBLISHED: July 22, 2021 - OFFICIAL JOURNAL
Hammond Daily Star

ADOPTED BY TPC: July 26, 2021

DELIVERED TO PRESIDENT: _____ day of July, 2021 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____

Robby Miller

Date

RECEIVED FROM PRESIDENT: _____ day of July, 2021 at _____

T.P. Ordinance No. 21-52

AN ORDINANCE TO GRANT VARIANCES TO TANGIPAHOA PARISH CODE OF ORDINANCES CHAPTER 17-5.2 (C) and 5.3 (H) FOR MGD DELUXE, LLC AT THE ASSESSMENT PARCEL NUMBER 4498208 IN HAMMOND, LOUISIANA 70403 IN TANGIPAHOA PARISH COUNCIL DISTRICT NO. 6

WHEREAS, Tangipahoa Parish Code of Ordinances Chapter 17-5.2 (C) states that all developments shall preserve a 25' perimeter buffer of undisturbed greenspace, which may be considered as part of the Stormwater Management Area; and

WHEREAS, Tangipahoa Parish Code of Ordinances Chapter 17-5.3 (H) states that a 25' of existing undisturbed vegetative perimeter buffer zone is required along all side of the development; and

WHEREAS, the MGD Deluxe, LLC lot of record is short of the buffer requirements.

THEREFORE BE IT ORDAINED by the Tangipahoa Parish Council-President Government, governing authority of Tangipahoa Parish, State of Louisiana, that the aforementioned variances to the Tangipahoa Parish Code of Ordinances, Parish of Tangipahoa, State of Louisiana, be granted to the MGD Deluxe, LLC property with assessment number 4498208 in Hammond, Louisiana 70403 in Tangipahoa Parish Council District No. 6;

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said Council and was submitted to an official vote of the TPC.

On motion by _____ and seconded by _____, the foregoing ordinance was hereby declared adopted on this 26th day of July, 2021 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Kristen Pecararo
Clerk of Council
Tangipahoa Parish Council

Brigitte Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: July 12, 2021

PUBLISHED: July 22, 2021 - OFFICIAL JOURNAL
Hammond Daily Star

ADOPTED BY TPC: July 26, 2021

DELIVERED TO PRESIDENT: _____ day of July, 2021 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July, 2021 at _____

T. P. ORDINANCE NO. 21-46

PROVIDING FOR THE LEVY OF TAXES FOR THE YEAR OF 2021

BE IT ORDAINED by the Tangipahoa Parish Council, the governing authority of Tangipahoa Parish, State of Louisiana, in regular session convened and conducted in accordance with the open meetings law, a quorum being present, that the following **adjusted** millage(s) are hereby levied on all taxable property shown on the official assessment roll for the year 2021, and, when collected the revenues from said taxes shall be used only for the specific purposes for which said taxes have been levied; said millage rates are as follows:

	2021
	<u>Millage</u>
Town of Kentwood	1.52
Town of Amite City	1.52
Town of Independence.....	1.52
Town of Ponchatoula	1.52
City of Hammond	1.52
General Parish-Wide Alimony Tax	3.05
(Excepting above Inc. Towns/Cities)	
Library Maintenance Tax #1.....	3.00
Library Maintenance Tax #2.....	2.81
Health Unit Maintenance Tax.....	4.00
Garbage District No. 1 Maintenance	10.00
Road Lighting District No. 1	2.00
Road Lighting District No. 2	6.00
Road Lighting District No. 4	5.00
Road Lighting District No. 5	5.00
Road Lighting District No. 6	5.00
Road Lighting District No. 7	5.00
T.P. Fire District No. 2.....	10.00
T.P. Fire District No. 2.....	10.00

Sinking Funds:

Road District No. 101 (Kentwood).....	2.00
Road District No. 101 Sub 1 (Kentwood).....	2.00

BE IT FURTHER ORDAINED that the proper administrative officials of the Parish of Tangipahoa, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2016, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon passage by the Tangipahoa Parish Council and signature of the Parish President.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council and after a public hearing, was submitted to an official vote of said Council.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council and after a public hearing, was submitted to an official vote of said Council.

On a motion by _____ and seconded by _____, the foregoing ordinance was hereby declared adopted this 9th day of August, 2021 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Kristen Pecararo
Clerk of Council
Tangipahoa Parish Council

Brigette Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: July 26, 2021

PUBLISHED: August 5, 2021 HAMMOND DAILY STAR
Official Journal

ADOPTED: August 9, 2021

DELIVERED TO PRESIDENT: _____ day of August, 2021 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of August, 2021 at _____

T.P. Ordinance No. 21-53

AN ORDINANCE PLACING 10 MPH SPEED LIMIT SIGNS AND DRIVE LIKE YOUR KID’S LIVE HERE SIGNS IN SOUTHRIDGE SUBDIVISION IN DISTRICT NUMBER 9 IN TANGIPAHOA PARISH IN ACCORDANCE WITH CHAPTER 20, STREETS, ROADS, SIDEWALKS AND DRAINAGE - ARTICLE I, IN GENERAL - SECTION 20-16

BE IT ORDAINED by the Tangipahoa Parish Council, governing authority of Tangipahoa Parish, State of Louisiana, as follows:

- 1) 10 MPH speed limit signs in Southridge Subdivision in District No. 9
- 2) Drive like your kids live here signs in Southridge Subdivision in District No. 9

in Accordance with Chapter 20, Streets, Roads, Sidewalks and Drainage - Article I, in General - Section 20-16.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

The above and foregoing ordinance having been duly submitted to the Tangipahoa Parish Council in writing; introduced at a public meeting of the Tangipahoa Parish Council; discussed at the said public hearing; after motion and second was submitted to the official vote of the Tangipahoa Parish Council.

On motion by _____ and seconded by _____, the foregoing ordinance was hereby declared adopted on this 9th day of August, 2021 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Kristen Pecararo
Clerk of Council
Tangipahoa Parish Council

Brigette Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: July 26, 2021

PUBLISHED: August 5, 2021

- OFFICIAL JOURNAL
Hammond Daily Star

ADOPTED BY TPC: August 9, 2021

DELIVERED TO PRESIDENT: _____ day of August, 2021 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of August, 2021 at _____

T.P. Ordinance No. 21-54

AN ORDINANCE PLACING 35 MPH SPEED LIMIT SIGNS ON BAYTOWN HILLS ROAD, 25 MPH SPEED LIMIT SIGNS ON JOHNSON HOLTON ROAD, AND 25 MPH SPEED LIMIT SIGNS ON COMPANY TOWN ROAD IN DISTRICT NUMBER 1 IN TANGIPAHOA PARISH IN ACCORDANCE WITH CHAPTER 20, STREETS, ROADS, SIDEWALKS AND DRAINAGE - ARTICLE I, IN GENERAL - SECTION 20-16

BE IT ORDAINED by the Tangipahoa Parish Council, governing authority of Tangipahoa Parish, State of Louisiana, as follows:

- 1) 35 MPH speed limit signs on Baytown Hills Road in District No. 1
- 2) 25 MPH speed limit signs on Johnson Holton Road in District No. 1
- 3) 25 MPH speed limit signs on Company Town Road in District No. 1

in Accordance with Chapter 20, Streets, Roads, Sidewalks and Drainage - Article I, in General - Section 20-16.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

The above and foregoing ordinance having been duly submitted to the Tangipahoa Parish Council in writing; introduced at a public meeting of the Tangipahoa Parish Council; discussed at the said public hearing; after motion and second was submitted to the official vote of the Tangipahoa Parish Council.

On motion by _____ and seconded by _____, the foregoing ordinance was hereby declared adopted on this 9th day of August, 2021 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Kristen Pecararo
Clerk of Council
Tangipahoa Parish Council

Brigette Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: July 26, 2021

PUBLISHED: August 5, 2021 - OFFICIAL JOURNAL
Hammond Daily Star

ADOPTED BY TPC: August 9, 2021

DELIVERED TO PRESIDENT: _____ day of August, 2021 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of August, 2021 at _____

T.P. Ordinance No. 21-55

An ordinance to revise and amend T.P. Ordinance No. 21-48

BE IT ORDAINED by the Tangipahoa Parish Council-President Government, governing authority of Tangipahoa Parish, State of Louisiana that the Tangipahoa Parish Code of Ordinance be hereby amended to repeal and recodify the following from the current code into Chapter 17 Planning and Development:

Article X of Chapter 13

Article XIII of Chapter 13

Chapter 25

ARTICLE IX - DEVELOPMENTS WITH SPECIAL PROVISIONS

Sec. 17-9.1 General Standards – All the following Commercial developments requiring special provisions must follow the submission and review procedures as identified for General Commercial Developments in Chapter 17-5.6 and any standards identified herein this sub-section.

A. In General

Commercial developments as not defined in any other section must follow the special provisions per this section. These developments are generally considered a nuisance to the public. In order to protect public health and reduce hazards to safety, these developments must follow the provisions of this subsection.

If these commercial developments contract, lease, sublease or sell any interest in the project or property they must notify Tangipahoa permit office no later than 90 days prior to the execution of any agreement to transfer said interest.

B. Types of Commercial Developments that require a Commercial Site Approval include the following:

- Firing or Shooting Ranges
- Mining operation such as but not limited to dirt, sand, and gravel pits
- Temporary housing shelters
 - Transitional facilities for housing ex-inmates or criminals with severe mental illness
- Jails or prisons
- Businesses where bars or lounges are the primary use
- Adult uses or adult entertainment as defined herein
- Junk yards for vehicles, salvage yards, scrap yards, or for any business in any phase of reclamation
 - Renewable Energy Plants such as Solar, Wind, Hydro, Geothermal, Biomass
- Towers, including, but not limited to cellular and radio towers
- Landfills, incinerators, or waste disposal dumps / sites

C. Approval Process

1. These developments will get site plan approval by TRC, then forwarded to the planning commission for a public hearing.

~~2. The Planning Commission will hold a public hearing and a recommendation forwarded to the Tangipahoa Parish Council.~~

3. Tangipahoa Parish Council will hold a public hearing and a resolution must be passed in order to proceed to the permitting process.

4. Before issuance of any permit the TRC (technical review committee) must give final approval.

Sec. 17-9.2 Shooting Ranges

A. Public & Private Shooting ranges are recognized as General Commercial Developments. These ranges must follow these procedures for approval with the additional requirement found herein and in accordance with LA R.S. 33:120. Personal shooting ranges are excluded from requirements for Sec.17-9.2.

1. Public Shooting Ranges must have a minimum parcel acreage of ten (10) acres or greater.

2. Private Shooting Ranges must have a minimum parcel acreage of two (2) acres or greater.

B. The hours of operation for outdoor shooting ranges can be from seven (7) a.m. to ten (10) p.m. daily, except for indoor or archery ranges.

C. Private and public shooting ranges must be constructed to provide a proper barrier to prevent bullets, shots, and/or arrows from leaving the firing range site. Provisions shall be made as regards side barricades as well as barricades behind and adjacent to the targets.

D. Private and public shooting ranges must have an implemented safety plan that substantially includes, but is not limited to, the following items:

1. A description of the range that stipulates how, when, and by whom the facility will be used.

2. The safety plan should divide rules and regulations into the categories of gun handling rules, general range rules, specific range rules, and administrative rules and regulations.

3. This safety plan must be posted in a prominent location on the range and range members or users must be made aware of the safety plan before firing on the range.

4. These ranges must provide a safety zone map with distance, measurements, property size, and any structures.

E. Any indoor firing ranges are exempt from the special regulations of subsection 17-9.2., but are required to meet all building codes and permit requirements.

F. Any structures located on an outdoor or an indoor firing range facility in the parish will be required to meet all building codes and permit requirements.

G. Any person violating the provisions of this section, unless that person is a law enforcement officer or policeman acting within the scope and course of his or her duties and employment, shall be guilty of a violation of the criminal law and shall be subject to punishment, as provided in section 1-13 of this Code.

1. The firing of any firearm within 250 feet of any inhabited dwelling, building, shed, or structure where a person or persons can reasonably be expected to be present, without the express permission of the owner of the said dwelling, building or structure is prohibited.

2. The discharge of a firearm or gun within 100 feet of any public street, highway, road or thoroughfare is prohibited.
3. Furthermore, physical damage to persons or property as a result of a violation of this section are entitled to bring an action against the violator.

H. Owner of any shooting ranges must notify with 60 days to all local law enforcement of the establishment and hours of operation.

Sec. 17-9.3 - MINING OPERATIONS

A. - IN GENERAL

1. Prohibition on combustible and/or flammable burning.
 - a. Combustible and/or flammable burning is defined as consisting of any single or multiple pits or containers of any size where combustible and/or flammable liquids are burned for any reason.
 - b. The construction or use of pits or containers for the purpose of burning combustible and/or flammable liquids is prohibited.
 - c. Whoever burns combustible and/or flammable liquids in violation of the provisions of the section shall be guilty of a misdemeanor crime and shall be subject to the penalties in section 1-13 of the Code of Ordinances of Tangipahoa Parish, Louisiana.

B. - PITS AND PONDS

1. Definitions

Dirt pit: a hole, shaft or cavity in the ground created or expanded with the intent to mine dirt, clay, gravel, or any materials from the earth from the site for transport off of the site.

Pond: an artificially created confined body of water, which could be created for commercial, recreational uses, or for detention/drainage.

2. Construction, operation or expansion of dirt pits and ponds require a permit.

All dirt pits and/or ponds sought to be constructed within Tangipahoa Parish are required to submit an application to the Tangipahoa Parish Permit Office. No new excavation shall begin until a permit is issued.

The permit application required by this "article" will require the following information, to-wit:

- a. The landowner or landowners' full names, physical and mailing addresses, and telephone number.
- b. The property description for the location of the dirt pit and/or pond.
- c. The official name or designation of the roadway providing access to the site of the dirt pit and/or pond.
- d. The anticipated size of the dirt pit and/or pond including both its anticipated depth and surface area.
- e. The anticipated starting date for operations and the anticipated completion date for operations at the site.
- f. The contractor/miner/excavator's complete name. If the contractor/miner/excavator is a partnership, corporation or limited liability company, there shall be included with the application the names of each owner, stockholder, partner and/or member except in the case of publicly traded stock corporations. Along with each name, there shall also be included the contractor, miner, excavator and in the case of a partnership, corporation or limited liability

company, the owner, stockholder, partner and/or member's physical and mailing address and telephone number.

3. Permit posting

The original permit or a copy thereof must be posted by the applicant at the entrance site of the dirt pit and/or pond where the applicant accesses the site from a public roadway.

4. Damages to public roads

a. The dirt pit and/or pond's landowners and the contractor/miner/excavator shall be jointly, severally and in solido, responsible for obtaining and constructing access onto a public roadway. If the public roadway is surfaced, there must be an apron connecting the applicant's private roadway to the public roadway constructed in a manner that will prevent damage to the roadway.

b. Any damages to the public roadway must be paid for by the landowner and/or the contractor/miner/excavator, jointly and severally.

c. The contractor/miner/excavator shall be responsible to make sure operations at the dirt pit/pond construction do not impact road safety and to remove any dirt or clay that is spilled or tracked onto the public roadway.

5. Permit holder to provide access to parish inspectors

As a condition of the granting of a permit to undertake dirt pit/pond operations, the applicant and the landowner shall grant to the parish government's inspectors and/or compliance officers' complete access to the site for regular inspections, compliance enforcement, posting violations and issuing "STOP WORK" orders at all reasonable times.

6. Compliance enforcement

In the event that the permit holder/holders fail to comply with the requirements of this article the Tangipahoa Parish Council-President Government, in addition to any other remedies provided for herein or by other general law, shall be entitled to "STOP ALL WORK" at the site and suspend all pits/pond operations permit.

7. Special regulations

a. Requirements for ponds of one acre or less in area on a single-family residential home site. An application must be submitted and fees paid in order to obtain a permit. The pond must be dug in a manner that will allow for it to hold water. For safety reasons, the edge of the pond will be sloped at a minimum ratio of 3:1. The edge of the pond can be no closer than 30 feet from a neighboring property line. During construction of the one acre or less size pond, if legitimate complaints arise, the parish government may require watering in order to control dust.

b. Requirements for dirt pits and/or ponds more than one acre but no more than five acres in area. An application must be submitted along with the items set forth herein below in this paragraph before a permit may be issued pursuant to this article. If the merchantable timber is to be harvested from the site, a Tangipahoa Parish logging permit must be obtained. The applicant must present a plan for access to a state highway or to a parish roadway. A water truck may be required to control dust. If the site is constructed with the intention to create a pond, such pond will be constructed in a manner that will allow it to hold water and at the completion of the job, for safety reasons, the edges of the pond will be sloped at a minimum ratio of 3:1. The edge of any such dirt pit and/or pond can be no closer than 30 feet from a neighboring property line. Furthermore, to protect neighboring properties from damages to water wells, sewer systems and foundations, no such dirt pit or pond shall be located any closer than 200 feet from a neighboring property owner's existing residential house structure. If at any time the pit becomes abandoned, there shall be no pool of water or pond unless the edges of the pool or pond are sloped at a minimum ratio of 3:1. A permit for this size operation will be for a one-year term and must be renewed yearly thereafter during the operation. Prior to expanding

the site to include excavation of more than five acres, the contractor/miner/excavator must apply for and obtain the permit required by subsection (c) of this section.

c. Requirements for pits and/or ponds more than five acres in area. These developments must follow the procedures set forth in Article 9 Section 17- 9.1, and once a permit is issued, the following requirements must be upheld; If timber is to be harvested to clear the site, a logging permit is required. A water truck must be maintained on the site and must be used daily to control dust except in the event of substantial periods of rain. If the site is constructed with the intention to create a pond, at completion of the job, such pond will be constructed in a manner that will allow it to hold water and for safety reasons, the edges of the pond will be sloped at a minimum ratio of 3:1. At all times, the edges of any such dirt pit and/or pond can be no closer than 30 feet from a neighboring property line. Furthermore, to protect neighboring properties from damages to water wells, sewer systems and foundations, no such dirt pit or pond shall be located any closer than 200 feet from a neighboring property owner's existing residential house structure. If at any time the pit becomes abandoned, there shall be no pool of water or pond unless the edges of the pool or pond are sloped at a minimum ratio of 3:1. A permit for this size operation will be for a one-year term and must be renewed yearly thereafter during the operation of the dirt pit. In addition to the other requirements for a permit.

8. Existing pits and/or ponds

Pits that are currently operating, meaning dirt has been removed from the site for commercial purposes, as of the effective date of this chapter, will be exempt from all requirements of this article, excepting that these existing sites will be required to submit an application to the permit office and receive an exempt permit. This exempt permit will be kept on site. The application must contain the following information: Name of landowner, mailing address and phone number, name and phone number of contractor/excavators, location of pit (access road), total acreage of site (total on deed, even if plans do not include the use of all acreage), and total anticipated size of pit. This information will be for permit office use only, but will be available to the public as required by law. Any modification to the existing operations and/or site must conform with this article.

9. Penalties

a. Any person who violates the provisions of this article, as set forth hereinabove, will be guilty of a misdemeanor criminal offense punishable as provided in section 1-13 of the Code of Ordinances of Tangipahoa Parish, Louisiana.

b. Each day that a violation of this said article exists will constitute a separate offense.

Sec. 17-9.4 AUTOMOBILE/VEHICLE IMPOUND FACILITIES, AUTOMOBILE/VEHICLE SALVAGE FACILITIES, USED CAR SALES AND RECYCLING FACILITIES

A.-Approval/Permit

1. These developments must follow the procedures set forth in Article 9 Section 17- 9.1

2. Prior to beginning operations, each facility located within the rural and incorporated areas of Tangipahoa Parish, Louisiana, will be required to obtain a permit to operate.

3. In order to obtain a permit, applicants must also provide to the Tangipahoa Parish Permit Office the following information, to-wit:

- a. The applicant(s) must provide a written operational plan setting forth in detail the type of impound facility, salvage yard and/or recycling business to be permitted, the materials to be collected, material storage information and any processing methods typical for the business.
 - b. The applicant(s) must provide a land survey showing the location of the facility or facilities along with the boundary lines, drainage plans and therein depicting the extent of the proposed operational area. The survey must show all locations of existing and proposed buildings, fences, processing areas and other relevant structures relating to the operation of the facility.
 - c. The applicant(s) must provide a written environmental assessment study conducted by a civil engineer or environmental consultant licensed by the State of Louisiana.
4. If there are any changes to the applicant's operations after a permit has been obtained, the applicant must report these changes to the Tangipahoa Parish Permit Office and provide the same information as originally provided and go through the same process to obtain a revised permit to operate under this article.

B. Definitions

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Automobile impound facility: a facility for the sole purpose of storing and holding operating and/or non-operating automobiles and other vehicles on a temporary basis and which vehicles have been towed to that facility by a properly licensed towing company.

Automobile salvage facility: a facility for the sole purpose of collecting and storing of non-operating automobiles and other vehicles for resale or to sell parts therefrom.

Recyclable material: is defined as material that is marketable as a recyclable product and is commonly listed as a recyclable commodity.

Recycling facility: a facility for the sole purpose of collecting, storing and selling recyclable materials.

Operational area: the confines of an establishment designed as operational or working areas that are defined by fencing, walls or other structural means of boundary identification.

C. Regulations

The following regulations for the placement and/or construction of automobile/vehicle impound facilities, automobile/vehicle salvage facility, used car auto sales, and/or recycling facilities and the operations are as follows:

1. Facilities will be permitted only where each such facility complies with all local, state and federal regulations regarding environmental pollution and each such facility has acquired all appropriate permits, occupational licenses and other documentation needed to be issued by local, state and federal regulatory bodies.
2. These developments must follow the procedures set forth in Article 9 Section 17- 9.1 and as follows:
 - a. The facility must be screened by a solid fence or fences, wall or walls and/or structure or structures at least ten feet in height and which fences, walls and/or structures must totally and completely enclose the operational areas of the facility so as to separate the operational areas from the public if the facility stores, holds or processes materials outdoors. If however, a facility stores, holds or processes any materials exclusively indoors, then the fencing requirements may be waived by the Tangipahoa Parish Council provided that no automobiles, vehicles and/or recycling materials are stored outdoors.

- b. Any fencing, wall, structure or siding constructed by the applicant(s) must be constructed of quality building materials and these said materials must be of like material throughout the said fence, wall or structure. Building materials may be treated to prevent rot or decay or may be painted or colored with appropriate colored paint such as white or an earth tone (i.e., brown, forest green, etc.).
- c. The permit holder is to keep the fence, wall or structure in a constant state of good repair and no signs or other advertising materials shall be placed on the fence. The facility should be locked and secured at all times after regular working hours.
- d. No materials will be piled or stacked to a height greater than ten feet and will be less than the height of the fence, wall or structure required to be constructed.
- e. A minimum 50-foot buffer will be established between the operational areas and the adjoining property. No storing, holding, processing of materials or any other work associated storage will be conducted within the designated buffer zone.
- f. Front building lines and fence lines must conform to the average building lines established in an area including that of any residents. Adjoining properties but in any case, the front building line shall be set back at least 50 feet from the adjacent public road or street line.
- g. As regards the side yard; all sides of the facility and the fence line must be at least 50 feet from adjacent property lines but at least 150 feet from any existing residence structure or other building on adjacent property unless the adjoining property owner specifically grants written permission for a waiver of this requirement.
- h. As to the rear yard, the rear yard shall not be limited as to depth but must be totally surrounded by solid fences, walls or other approved structures.
- i. The property onto which an automobile/vehicle impound facility, an automobile/vehicle salvage facility and/or a recycling facility is located must be maintained to a grass height of no more than 12 inches.
- j. All exits and entrances to a facility herein permitted shall provide for clear site distances and safe access to and from the public roadways.
- k. Any major drainage channels will be designed with sufficient culverts and rights-of-way to provide for natural water flow and maintenance of drainage.
- l. The disposal of waste and sewerage will meet all appropriate parish and state ordinances and regulations.

3. Additional Required Documents

- a. The applicant(s), prior to receipt of a permit and the commencement of operations, complete an environmental impact assessment for all proposed uses at the time of the permit application.
- b. These developments must follow the procedures set forth in Article 9 Section 17- 9.1
- c. The applicant(s) must provide an accurate drainage plan certified to by a licensed engineer in the State of Louisiana as a requirement of the application and prior to the issuance of any permit provided by this chapter.

4. Additional Operational Standards

- a. Materials collected in storage must be stored with like materials and must be stored in a manner to prevent the harboring of vectors and shall not create an unpleasant or unsightly view.
- b. Water will not be allowed to collect or hold within the stored automobile, vehicle and/or stored recyclable material to promote the breeding of rodents, vermin, roaches, mosquitos or other nuisances.
- c. Rodents, vermin, roaches, mosquitos and other pests will be controlled on the premises by regular treatment of the site with insecticides and rodent bait.

d. Upon the discovery by the Tangipahoa Parish Building Inspector that any person, corporation, company, partnership or other entity is in violation of this article, then such person, corporation, company, partnership or other entity shall be given 48 hours written notice to cure or correct the violation and in failing to do so then to cease operations. If the violation continues after this notice and the passage of 48 hours from receipt of such a written notice, then the violators shall be subject to such criminal fines and civil penalties as may be provided for in this Code.

e. The failure to comply with the above requirements or to obtain a permit prior to beginning operation of any automobile/vehicle impound facility, an automobile/vehicle salvage facility and/or a recycling facility or the later operating of any such facility in violation thereof shall be punished by a civil fine of \$500.00 per day for each day that the violation continues. Each 24-hour period that a violation continues shall be a separate violation and subject to the above said fine of \$500.00 per day.

f. The violation shall be deemed to continue until all material contained on the property has been removed from the property and/or a certificate of compliance for this section has been issued by the Tangipahoa Parish Permit Office.

g. The provisions of this article shall apply prospectively from December 13, 1999, however these regulatory provisions shall not interfere with the operations of junk yards in existence, validly operating pursuant to validly issued permits and doing business as a junk yard on December 13, 1999, except that all junk yards will be reclassified and be required to obtain a permit pursuant to this chapter.

5. Annual yearly renewal/updated permit

a. Each permit issued pursuant to this article will be for an initial one-year term. For all subsequent years, an annual renewal permit will be issued upon receipt of a certification from the permit holder that the original information contained in the initial permit application remains unchanged and the payment of a renewal permit fee is at \$25.00.

b. If there is any material change in the original information provided by the applicant to the parish government in order to obtain the initial permit, the permit holder shall at the time of any such change reapply to the Tangipahoa Parish Permit Office for a permit in the same manner as for obtaining the initial permit and an update permit fee of \$25.00 will be due.

6. Jurisdiction

The Tangipahoa Parish Council-President Government will have jurisdiction over automobile/vehicle impound facilities, automobile/vehicle salvage facilities and/or recycling facilities as provided for in this article anywhere in the rural and unincorporated areas of the parish.

All civil fines collected by the Tangipahoa Parish Council-President Government for violations of this article must be paid to the Tangipahoa Parish Council-President Government.

7. Criminal penalty

The violation of the provisions of this article as relates to automobile/vehicle impound facilities, automobile/vehicle salvage facilities and/or recycling facilities will be subject to the person or persons responsible for this violation to the criminal penalties provided in section 1-13 of the Tangipahoa Parish Code of Ordinances and each day of such violation will be considered a separate offense.

Sec. 17-9.5 HALFWAY HOUSES AND JUVENILE DETENTION FACILITIES

A. Definitions

Halfway house: a residential facility or institution designed to rehabilitate persons who have left a hospital or prison.

Juvenile detention facilities: a residential facility or institution to rehabilitate young person's less than eighteen (18) years of age, who have committed crimes and/or who have been diagnosed as being addicted to and being treated for the compulsive use of habit-forming drugs, specifically including but not limited to alcohol, narcotic drugs, prescription medication and/or illegal drugs.

A. Parish Approval & permit

1. These developments must follow the procedures set forth in Article 9 Section 17- 9.1

In addition to meeting the requirements of state and federal laws and regulations and to better ensure that these requirements are met, prior to the commencing of the operation of any type of halfway house, and juvenile detention facility in Tangipahoa Parish. Each such facility must first request and obtain an approval from the Tangipahoa Parish Council-President Government. In order to obtain this approval, the owner and/or operator of the facility must send a written request for an application/approval to operate the facility to the Tangipahoa Parish Council through its clerk at Post Office Box 215, Amite, Louisiana 70422. And therein shall set forth the location of the proposed facility and include therein both its street address and property description, its mailing address and telephone number, a written statement outlining the nature of the proposed facility, the number of persons that the facility is seeking an application to house. A written description as to how the facility will address its occupants' health care needs, detailed architectural plans for the building structure or structures to be utilized in connection with the operations of the facility and a certification that all requirements of federal, state and parish governmental regulation have been or will be fully and completely complied with. As to any regulation to be complied with at a later date, a time table for full compliance shall also be included. This request for an application also includes a copy of all necessary federal and state licenses and/or permits and/or approvals, along with a certification that the facility is fully handicapped accessible and complies with all requirements of the Louisiana Fire Marshall's Office. Thereafter the request/application shall be reviewed by the Clerk of the Tangipahoa Parish Council to determine if the requested information has been provided. Thereafter, if the Clerk of the Tangipahoa Parish Council believes that the information has been provided, the said clerk shall put together a packet of the materials provided by the applicant and shall forward a copy of this packet to each councilman, then place this application request on the next agenda of the Tangipahoa Parish Council for initial review. Thereafter if the application request appears to be in order, the parish council will set a public hearing date as set forth herein below and direct the subsequent drafting of an ordinance to grant the requested permit.

C. Requirements.

1. Facilities requiring an approval under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall provide supervisory personnel on a 24-hour basis. These supervisory personnel shall consist of one live in/full-time supervisor for a facility housing one to 20 persons; two live in/full-time supervisors for a facility housing 21 to 40 persons; three live in/full-time supervisors for a facility housing 41 to 60 persons; and one additional supervisor who lives at the facility and works there as his/her full-time occupation for each additional person, up to 20 persons housed at the facility after 60. All such supervisors shall have clean criminal records. No supervisor must have ever been convicted of a felony grade offense in any jurisdiction. An average of one or more full-time live-in staff person/supervisor shall be on staff for each 20 persons housed at the facility.

2. Facilities requiring an approval under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances will provide its residents, patients and/or occupants with regular access to health care providers.
3. Facilities requiring an approval under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall be fully handicapped accessible and shall comply with all federal and state requirements for equal access to the handicapped.
4. Facilities requiring an approval under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall be inspected and approved by the Louisiana State Fire Marshall prior to opening and on a regular basis thereafter.
5. Facilities requiring an approval under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall be maintained in a clean and sanitary condition and shall be inspected and approved by the Tangipahoa Parish Sanitarian or an assistant sanitarian as the representative of the Louisiana Department of Health and Hospitals, Department of Public Health prior to opening and on a regular basis thereafter.
6. No facility requiring an approval under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall be constructed in a federally designated flood zone without first obtaining the approval of the United States Corp of Engineers.
7. The owner and any operator of a facility requiring a permit under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall at all times maintain general liability insurance coverage with an insurance company licensed to do business within the State of Louisiana in the minimum amount of \$1,000,000.00 per incident and \$5,000,000.00 in aggregate coverage.
8. The owner and any operator of a facility requiring a permit under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances having facilities capable of housing 20 or more persons under his/her/their/its care must provide a security fence around the facility. This fence shall consist of chain link construction at least eight feet in height, shall be completely lighted and shall have an open security zone of 100 feet on each side of the fencing. No shrubs, trees, obstructions, or impediments to vision shall be located within this security zone. Lighting for the security fence and the security zone must be provided from dusk until dawn.
9. The owner and any operator of a facility requiring a permit under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances having facilities capable of housing 20 or more persons under his/her/their/its care shall provide 24-hour security guard services for the facility.
10. If the facility houses any persons convicted of sex offenses or violent crimes such as murder, attempted murder, man slaughter or armed robbery, a sign shall be posted at each entrance to the facility on at least four-foot by six-foot surface with four-inch lettering to notify and inform the public of this fact. This signage shall be in addition to any other signage required under state or federal law.
11. The owner and any operator of a facility requiring a permit under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall maintain his/her/their/its facility in such a manner as to curtail any criminal activity by the persons housed at the facility.
12. The owner and any operator of a facility requiring a permit under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall construct the physical structures housing its occupants in the center of the property where it is located.

D. Issuance of permit.

1. Prior to the issuance of a permit hereunder, the Tangipahoa Parish Council shall first set a public hearing and in connection therewith publish a notice of the public hearing in its official journal. This public notice shall include the municipal address

of the proposed facility, the voting district of the proposed facility and the date and time of the hearing. Permits as required herein shall be issued only after a public hearing and thereafter the introduction and passage of an ordinance of the Tangipahoa Parish Council-President Government at which there will be a second public hearing.

2. Permits issued pursuant to article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall be for a period of five years. Within six months of the permit's expiration, a permit renewal must be sought by the owner of any facility operating under a permit issued pursuant to article X of chapter 13 of the Tangipahoa Parish Code of Ordinances. The process for this renewal of the permit shall be the same as the original permit.

3. Any permits previously issued pursuant to article X of chapter 13 of the Tangipahoa Parish Code of Ordinances are hereby declared to be for a period of five years from the date of issuance.

E. Prohibition against treatment of sexual disorders.

1. No facility operating under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall be engaged in the treatment of deviant sexual disorders.

2. No persons having been diagnosed with a deviant sexual disorder or having been designated as a sex offender and required to register as a convicted sex offender under Louisiana law shall receive treatment at an addictive disorder treatment facility licensed under article X of chapter 13 of the Tangipahoa Parish Code of Ordinances.

3. It is the intention of the Tangipahoa Parish Government to prohibit any inpatient treatment facility within the rural and unincorporated areas of Tangipahoa Parish from treating or housing persons diagnosed with deviant sexual disorders or convicted as a sex offender.

F. Grounds for revocation of permit.

1. Any facility operating with a permit issued pursuant to article X of chapter 13 of the Tangipahoa Parish Code of Ordinances that fails to meet the requirements of this article shall have its permit revoked by the Tangipahoa Parish Council-President Government by an ordinance duly passed by the Tangipahoa Parish-President Government and provided that before the introduction of any such ordinance to revoke a permit issued pursuant to this article, there shall first be a duly noticed hearing on this issue. The holder of the permit shall be provided with notice of this hearing at least ten days in advance of the hearing and this notice shall clearly state therein the requirements of this article that are alleged to have been breached by or at the facility. The permit holder and the Tangipahoa Parish Council-President Government shall each present sworn testimony and documents at this hearing in support of that parties' position. This hearing shall be open to the public.

2. If any occupant of the facility is convicted of a criminal offense or there is evidence that criminal activity has resulted and this criminal conduct or criminal activity has resulted due to a breach of the permit holder's duties and responsibilities as provided in this article, then the facility is subject to have its permit revoked as outlined hereinabove in this section.

G. Penalty

In addition to civil sanctions, as provided by law, any person, corporation, company, partnership or entity, who owns or operates a facility required to be permitted pursuant to article X of chapter 13 of the Tangipahoa Parish Code of Ordinances shall be guilty of a separate criminal offense for each day of operation and shall be subject to punishment as provided for in section 1-13 of chapter 1 of the Tangipahoa Parish Code of Ordinances.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

The above and foregoing ordinance having been duly submitted to the Tangipahoa Parish Council in writing; introduced at a public meeting of the Tangipahoa Parish Council; discussed at the said public hearing; after motion and second was submitted to the official vote of the Tangipahoa Parish Council.

On motion by _____ and seconded by _____, the foregoing ordinance was hereby declared adopted on this 26th day of July, 2021 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Kristen Pecararo
Clerk of Council
Tangipahoa Parish Council

Brigette Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: July 12, 2021

PUBLISHED: July 22, 2021 - OFFICIAL JOURNAL
Hammond Daily Star

ADOPTED BY TPC: July 26, 2021

DELIVERED TO PRESIDENT: _____ day of July, 2021 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July, 2021 at _____

T.P. Ordinance No. 21-56

AN ORDINANCE PLACING 25 MPH SPEED LIMIT SIGNS ON BRUMFIELD ROAD FROM LEWISTON ROAD TO THE DEAD END IN DISTRICT NUMBER 1 IN TANGIPAHOA PARISH IN ACCORDANCE WITH CHAPTER 20, STREETS, ROADS, SIDEWALKS AND DRAINAGE - ARTICLE I, IN GENERAL - SECTION 20-16

BE IT ORDAINED by the Tangipahoa Parish Council, governing authority of Tangipahoa Parish, State of Louisiana, as follows:

- 1) 25 MPH speed limit signs on Brumfield Road from Lewiston Road to the dead end in District No. 1

in Accordance with Chapter 20, Streets, Roads, Sidewalks and Drainage - Article I, in General - Section 20-16.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

The above and foregoing ordinance having been duly submitted to the Tangipahoa Parish Council in writing; introduced at a public meeting of the Tangipahoa Parish Council; discussed at the said public hearing; after motion and second was submitted to the official vote of the Tangipahoa Parish Council.

On motion by _____ and seconded by _____, the foregoing ordinance was hereby declared adopted on this 9th day of August, 2021 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Kristen Pecararo
Clerk of Council
Tangipahoa Parish Council

Brigette Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: July 26, 2021

PUBLISHED: August 5, 2021 - OFFICIAL JOURNAL
Hammond Daily Star

ADOPTED BY TPC: August 9, 2021

DELIVERED TO PRESIDENT: _____ day of August, 2021 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of August, 2021 at _____

T.P. Ordinance No. 20-28

AN ORDINANCE PLACING NO TRUCK ROUTE SIGNS IN BELLA CASA SUBDIVISION IN DISTRICT NO. 2 IN TANGIPAOHA PARISH IN ACCORDANCE WITH CHAPTER 20, STREETS, ROADS, SIDEWALKS AND DRAINAGE - ARTICLE I, IN GENERAL - SECTION 20-16

BE IT ORDAINED by the Tangipahoa Parish Council, governing authority of Tangipahoa Parish, State of Louisiana, as follows:

- 1) No truck route signs in Bella Casa Subdivision in District No. 2

in Accordance with Chapter 20, Streets, Roads, Sidewalks and Drainage - Article I, in General - Section 20-16.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

The above and foregoing ordinance having been duly submitted to the Tangipahoa Parish Council in writing; introduced at a public meeting of the Tangipahoa Parish Council; discussed at the said public hearing; after motion and second was submitted to the official vote of the Tangipahoa Parish Council.

On motion by _____ and seconded by _____, the foregoing ordinance was hereby declared adopted on this 9th day of August, 2021 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Kristen Pecararo
Clerk of Council
Tangipahoa Parish Council

Brigette Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: July 26, 2021

PUBLISHED: August 5, 2021

- OFFICIAL JOURNAL
Hammond Daily Star

ADOPTED BY TPC: August 9, 2021

DELIVERED TO PRESIDENT: _____ day of August, 2021 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of August, 2021 at _____

T.P. Ordinance No. 21-58

AN ORDINANCE TO GRANT A VARIANCE TO TANGIPAHOA PARISH CODE OF ORDINANCES CHAPTER 17-5.2 (A) 4- "SPACING OF MANUFACTURED HOMES" FOR YASHICA JOHNSON AT 40143 MACEDONIA ROAD IN TANGIPAHOA PARISH COUNCIL DISTRICT NO. 10

WHEREAS, Tangipahoa Parish Code of Ordinances Chapter 17-5.2 (A) 4 states that all new manufactured homes being placed must be a minimum of fifty (50) foot from another habitable structure; and

WHEREAS, the property owner is requesting a variance to place a second manufactured home thirty-five (35) feet from the existing manufactured home on the property which is fifteen (15) feet short of the requirement; and

THEREFORE BE IT ORDAINED by the Tangipahoa Parish Council-President Government, governing authority of Tangipahoa Parish, State of Louisiana, that a variance to the Tangipahoa Parish Code of Ordinances, Parish of Tangipahoa, State of Louisiana, be granted for the property at 40143 Macedonia Road in District No to place a second manufactured home thirty-five (35) feet away from the existing manufactured home on the property;

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said Council and was submitted to an official vote of the TPC.

On motion by _____ and seconded by _____, the foregoing ordinance was hereby declared adopted on this 10th day of May, 2021 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Kristen Pecararo
Clerk of Council
Tangipahoa Parish Council

Brigette Hyde
Chairwoman
Tangipahoa Parish Council

INTRODUCED: July 26, 2021

PUBLISHED: August 5, 2021 - OFFICIAL JOURNAL
Hammond Daily Star

ADOPTED BY TPC: August 9, 2021

DELIVERED TO PRESIDENT: _____ day of August, 2021 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of August, 2021 at _____

TANGIPAHOA PARISH RESOLUTION NO. R21-14

RESOLUTION AUTHORIZING THE CONTINUED EMPLOYMENT OF SPECIAL COUNSEL IN CONNECTION WITH THE CREATION OF MULTIPLE ECONOMIC DEVELOPMENT DISTRICTS PURSUANT TO PART II, CHAPTER 27, TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950, AS AMENDED; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, this Parish Council, in its capacity as governing authority of the Parish of Tangipahoa, State of Louisiana (the "Parish"), in conjunction with the Parish President, has been exploring the possibility of creating economic development districts, also sometimes referred to as "TIF" Districts, in the Parish, which districts would be created under the provisions of La. R.S. 33:9038.31, *et seq.*, and has already created one such District, designated Economic Development District No. 8; and

WHEREAS, Section 4-03 of the Tangipahoa Parish Home Rule Charter provides that no legal counsel shall be retained to represent the Parish except by written contract approved by the favorable vote of a majority of the authorized membership of the Parish Council, and further provides that such authorization shall specify the compensation, if any, to be paid for such services; and

WHEREAS, La. R.S. 42:263, provides that no parish governing authority shall retain or employ any special attorney or counsel to represent it in any special matter or pay any compensation for any legal services whatever unless a real necessity exists, made to appear by a resolution thereof stating fully the reasons for the action and the compensation to be paid, and that such resolution shall be subject to approval of the Louisiana Attorney General; and

WHEREAS, pursuant to Resolution No. R18-16 adopted by this Parish Council on August 13, 2018, this Parish Council found and determined that a real necessity exists to employ special counsel in connection with the creation of the aforesaid economic development districts, and determined that because of the specialized and complex nature of this work it would be advantageous for the Parish to employ special counsel with particular experience and expertise with state and local government finance laws, public finance laws, and the laws and practice relating to economic development incentives in Louisiana; and

WHEREAS, also pursuant to said Resolution No. R18-16 and upon the recommendation of the Parish President, this Parish Council has heretofore engaged Adams and Reese LLP, of New Orleans, Louisiana, as special counsel to the Parish to advise the Parish with respect to the creation and implementation of the aforesaid economic development districts, and authorized the Parish President to enter into a written contract with such special counsel as required by the Parish's Home Rule Charter, including a single one-year extension of such written contract as provided by said Resolution No. R-18-16, which contract currently expires on August 13, 2021; and

WHEREAS, this Parish Council, upon the recommendation of the Parish President, wishes to extend the term of employment of Adams and Reese LLP as special counsel to the Parish for the same matters set forth in said Resolution No. R-18-16, for a period ending with the current terms of office of the Parish President and Parish Council, namely December 31, 2023; and

WHEREAS, this resolution then shall be subject to the approval of the Attorney General of the State of Louisiana, and if approved by him, shall be spread upon the minutes of this Parish Council and published in the official journal of the Parish;

NOW THEREFORE, BE IT RESOLVED by the Tangipahoa Parish Council, acting as the governing authority of the Parish of Tangipahoa, State of Louisiana, that:

SECTION 1: Employment of Special Counsel. This governing authority finds and determines that a real necessity exists for the continued employment of special counsel in connection with the matters described in the preambles to this resolution, and accordingly the employment of Adams and Reese LLP, of New Orleans, Louisiana, as special counsel in connection with the foregoing is hereby confirmed. Said special counsel shall continue to prepare and submit to this governing authority for adoption, all of the proceedings incidental to the foregoing, and shall continue to counsel and advise the Parish, the proposed economic

development districts, this Parish Council and the Parish Administration, in connection with the foregoing. As provided by Section 4-03(B) of the Parish's Home Rule Charter, the Parish shall enter into a written contract with said special counsel in substantially the form attached hereto as Exhibit A, which outlines the specific purpose and nature of the legal services to be performed and the compensation to be paid for such services as shall be negotiated by the Parish President, subject to approval of the Louisiana Attorney General, as provided above. Based on their extensive experience and special expertise in this area of the law, the compensation of said counsel shall be on an hourly basis at a rate of \$580/hour for attorneys with more than 35 years' experience in the practice of public finance law and \$330/hour for all other attorneys.

The term of the aforesaid employment will be from August 13, 2021 through December 31, 2023.

SECTION 2: Authorization of Parish President. The Parish President is hereby authorized to enter into an employment contract with said counsel in substantially the form attached hereto as Exhibit A, as well as any other agreements as may be necessary and proper in order to carry out the purpose and provisions of this employment resolution.

SECTION 3: Publication. The Council Clerk is authorized and directed to publish this resolution in the official journal of the Parish upon adoption by this Parish Council.

On motion by _____ and seconded by _____, the foregoing resolution was declared adopted on this the 26th day of July, 2021 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Brigette Hyde, Chairwoman
Tangipahoa Parish Council

Kristen Pecararo, Clerk
Tangipahoa Parish Council

Robby Miller, President
Tangipahoa Parish

CONTRACT OF EMPLOYMENT

THIS CONTRACT OF EMPLOYMENT by and between the PARISH OF TANGIPAHOA, STATE OF LOUISIANA (the "Parish") and ADAMS AND REESE LLP ("Special Counsel"),

WITNESSETH:

WHEREAS, the Tangipahoa Parish Council (the "Council"), in its capacity as governing authority of the Parish, in conjunction with the Parish President, is exploring the possibility of creating economic development districts, also sometimes referred to as "TIF" Districts, in the Parish, including initially approximately twelve of such districts, which districts would be created under the provisions of La. R.S. 33:9038.31, *et seq.*; and

WHEREAS, Section 4-03 of the Tangipahoa Parish Home Rule Charter provides that no legal counsel shall be retained to represent the Parish except by written contract approved by the favorable vote of a majority of the authorized membership of the Council, and further provides that such authorization shall specify the compensation, if any, to be paid for such services; and

WHEREAS, the Council has found and determined that a real necessity exists to employ special counsel in connection with the creation of the aforesaid economic development districts, and that because of the specialized and complex nature of this work it would be advantageous for the Parish to employ special counsel with particular experience and expertise with state and local government finance laws, public finance laws, and the laws and practice relating to economic development incentives in Louisiana; and

WHEREAS, upon the recommendation of the Parish President, the Council adopted Resolution No. R18-16 on August 13, 2018, and also adopted Resolution No R21-___ on _____, 2021, providing for the employment of Adams and Reese LLP, of New Orleans, Louisiana, as special counsel to the Parish to advise the Parish with respect to the creation and implementation of the aforesaid economic development districts, and further authorized the Parish President to enter into a written contract with such special counsel as required by the Parish's Home Rule Charter; and

NOW, THEREFORE, in consideration of the foregoing, the parties hereto agree as follows:

SECTION 1. Pursuant to the aforesaid resolutions adopted by the Council on August 13, 2018 and _____, 2021, and as further provided by Section 4-03 of the Tangipahoa Parish Home Rule Charter, the Parish does hereby continue to employ Adams and Reese LLP, of New Orleans, Louisiana, as Special Counsel, in connection with the proposed creation of multiple economic development districts in the Parish pursuant to La. R.S. 33:9038.31.

SECTION 2. As Special Counsel, Adams and Reese LLP shall perform comprehensive legal and coordinate professional work in connection with the creation of the Districts and implementation of a plan for economic development utilizing the Districts. The fee for said services of Special Counsel shall be \$580 per hour for David M. Wolf, and \$330 per hour for other attorneys, plus reimbursement of actual out-of-pocket expenses. The foregoing fees, costs and expenses shall be paid by the Parish from time to time upon receipt of statements from said special counsel. The term of this contract will commence August 13, 2021 and run through December 31, 2023.

SECTION 3. Special Counsel accepts its employment by the Parish upon the terms contained in Section 2 hereof.

SECTION 4. The Parish hereby acknowledges that Special Counsel has heretofore rendered advice and legal services to the Parish in connection with the creation of the Districts. The Parish and Special Counsel agree that compensation for said prior services shall be computed on the basis of the compensation described in Section 2 hereof.

IN WITNESS WHEREOF, the parties hereto have executed this Contract of Employment on the dates specified below, this Contract of Employment to be effective on the last date of execution.

PARISH OF TANGIPAHOA,
STATE OF LOUISIANA

Date: _____, 2021

By: _____
Parish President

ADAMS AND REESE LLP

Date: _____, 2021

By: _____
Special Counsel

STATE OF LOUISIANA

PARISH OF TANGIPAHOA

I, the undersigned Clerk of the Tangipahoa Parish Council (the "Parish Council"), do hereby certify that the foregoing _____ (__) pages constitute a true and correct copy of a resolution adopted by the Parish Council on _____ __, 2021, authorizing the continued employment of special counsel in connection with the creation of multiple economic development districts pursuant to Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the Parish on this the __ day of _____, 2021.

(SEAL)

COUNCIL CLERK

TANGIPAHOA PARISH RESOLUTION NO. R21-15

A resolution authorizing the publication of a Notice of Intention to levy a 2.00% sales tax and a 2.00% Hotel Occupancy Tax in Tangipahoa Parish Economic Development District No. 8, State of Louisiana, under the authority of Part II, Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 *et seq.*); and providing for other matters in connection therewith.

WHEREAS, Part II, Chapter 27, Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31, *et seq.*) (the "EDD Act") authorizes municipalities, parishes and certain other local governmental subdivisions to create economic development districts to carry out the purposes of the Act, which economic development districts are political subdivisions of the State of Louisiana and possess such power and authority and have such duties as provided by the EDD Act and other law; and

WHEREAS, the Parish of Tangipahoa, State of Louisiana (the "Parish"), acting through this Parish Council as its governing authority, has previously created Tangipahoa Parish Economic Development District No. 8, State of Louisiana (the "District") pursuant to the EDD Act and T.P. Ordinance No. 21-17 adopted on April 12, 2021, in which District local sales tax increments may be determined and used to fund economic development projects, as defined in the EDD Act; and

WHEREAS, La. R.S. 33:9038.39 further permits economic development districts such as the District to levy sales taxes at a rate up to two percent (2%) for authorized purposes and/or hotel occupancy taxes at a rate of up to two percent (2%); and

WHEREAS, in accordance with the EDD Act, particularly La. R.S. 33:9038.39, this Parish Council now desires to give notice of its intention and to hold a public hearing relative to the proposed levy of a sales tax and a hotel occupancy tax in the District, which notice shall be published in the Parish's official journal two (2) times prior to the public hearing, the first publication to appear at least fourteen (14) days before the date of the public hearing;

NOW THEREFORE, BE IT RESOLVED by the Tangipahoa Parish Council, acting as the governing authority of the District, that:

SECTION 1. Intention to Levy Taxes. In accordance with the EDD Act, and particularly La. R.S. 33:9038.39, this governing authority does hereby give notice of its intention to levy (i) a two percent (2.00%) sales tax and (ii) a two percent (2.00%) hotel occupancy tax in the District pursuant to La. R.S. 33:9038.39 for the purpose of paying the costs of economic development projects, as defined in the EDD Act, particularly in La. R.S. 33:9038.34(M) and La. R.S. 33:9038.36, located in the District, and also to pay the costs of infrastructure improvements outside the District that benefit property in the District.

SECTION 2. Notice of Intention. The Parish Clerk is authorized and directed to publish a notice of intention, in substantially the following form, which notice shall be published in the Parish's official journal once a week for two weeks, the first publication to appear at least fourteen (14) days before the date of the public hearing relative to the levy of the proposed sales tax and hotel occupancy tax, as required by La. R.S. 33:9038.39:

* * * * *

**NOTICE OF INTENTION TO LEVY A
2.00% SALES TAX AND A
2.00% HOTEL OCCUPANCY TAX IN
TANGIPAHOA PARISH ECONOMIC DEVELOPMENT
DISTRICT NO. 8, STATE OF LOUISIANA**

NOTICE IS HEREBY GIVEN that the Parish Council of the Parish of Tangipahoa, State of Louisiana (the "Governing Authority"), acting in its capacity as governing authority of Tangipahoa Parish Economic Development District No. 8, State of Louisiana (the "District") proposes to consider the adoption of ordinances, pursuant to La. R.S. 33:9038.39, levying in the District (i) an additional two percent (2.00%) sales tax and (ii) an additional two percent (2.00%) hotel occupancy tax, for the purpose of financing economic development projects, as defined in La. R.S. 33: 9038.34(M) and La. R.S. 33:9038.36, located within the District, and also to pay the costs of infrastructure improvements outside the District that benefit property in the District (the

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

On motion by _____ and seconded by _____, the foregoing resolution was declared adopted on this the 26th day of July, 2021 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Brigette Hyde, Chairwoman
Tangipahoa Parish Council

Kristen Pecararo, Clerk
Tangipahoa Parish Council

Robby Miller, President
Tangipahoa Parish

STATE OF LOUISIANA

PARISH OF TANGIPAHOA

I, the undersigned Clerk of the Tangipahoa Parish Council (the "Parish Council"), do hereby certify that the foregoing _____ (___) pages constitute a true and correct copy of a resolution adopted by the Parish Council on _____, 2021, authorizing the publication of a Notice of Intention to levy a 2.00% sales tax in Tangipahoa Parish Economic Development District No. 8, State of Louisiana, under the authority of Part II, Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9038.31 et seq.); and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the Parish on this the ___ day of _____, 2021.

(SEAL)

Council Clerk